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Volume 46 (2016)

Pennsylvania Bulletin  
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6-4-2016

## June 4, 2016 (Pages 2847-2944)

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# PENNSYLVANIA BULLETIN

Volume 46

Number 23

Saturday, June 4, 2016 • Harrisburg, PA

Pages 2847—2944

**Agencies in this issue**

The Courts

Department of Agriculture

Department of Banking and Securities

Department of Environmental Protection

Department of General Services

Department of Health

Executive Board

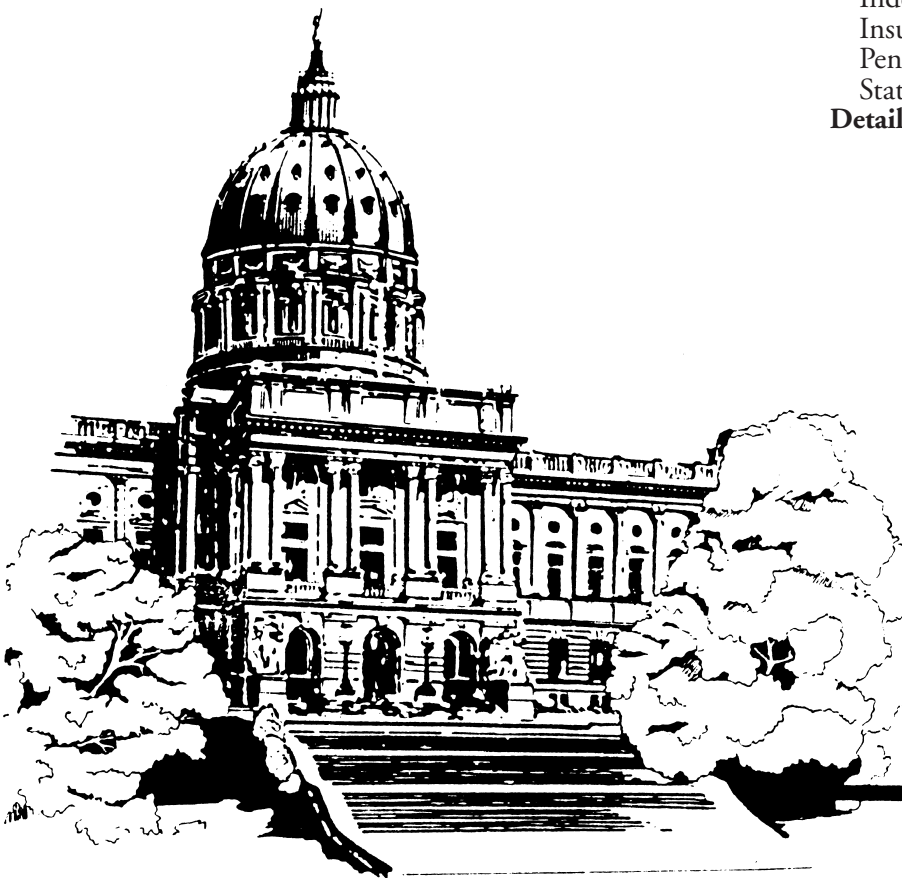
Independent Regulatory Review Commission

Insurance Department

Pennsylvania Public Utility Commission

State Real Estate Commission

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**Latest Pennsylvania Code Reporter  
(Master Transmittal Sheet):**

**No. 499, June 2016**

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**BULLETIN**

(ISSN 0162-2137)

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# READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND THE PENNSYLVANIA CODE

## *Pennsylvania Bulletin*

The *Pennsylvania Bulletin* is the official gazette of the Commonwealth of Pennsylvania. It is published every week and includes a table of contents. A cumulative subject matter index is published quarterly.

The *Pennsylvania Bulletin* serves several purposes. First, it is the temporary supplement to the *Pennsylvania Code*, which is the official codification of agency rules and regulations and other statutorily authorized documents. Changes in the codified text, whether by adoption, amendment, repeal or emergency action must be published in the *Pennsylvania Bulletin*. Further, agencies proposing changes to the codified text do so in the *Pennsylvania Bulletin*.

Second, the *Pennsylvania Bulletin* also publishes: Governor's Executive Orders; State Contract Notices; Summaries of Enacted Statutes; Statewide and Local Court Rules; Attorney General Opinions; Motor Carrier Applications before the Pennsylvania Public Utility Commission; Applications and Actions before the Department of Environmental Protection; Orders of the Independent Regulatory Review Commission; and other documents authorized by law.

The text of certain documents published in the *Pennsylvania Bulletin* is the only valid and enforceable text. Courts are required to take judicial notice of the *Pennsylvania Bulletin*.

## **Adoption, Amendment or Repeal of Regulations**

Generally an agency wishing to adopt, amend or repeal regulations must first publish in the *Pennsylvania Bulletin* a Notice of Proposed Rulemaking. There are limited instances when the agency may omit the proposal step; it still must publish the adopted version.

The Notice of Proposed Rulemaking contains the full text of the change, the agency contact person, a fiscal note required by law and background for the action.

The agency then allows sufficient time for public comment before taking final action. An adopted proposal must be published in the *Pennsylvania Bulletin* before it can take effect. If the agency

wishes to adopt changes to the Notice of Proposed Rulemaking to enlarge the scope, it must repropose.

## **Citation to the *Pennsylvania Bulletin***

Cite material in the *Pennsylvania Bulletin* by volume number, a page number and date. Example: Volume 1, *Pennsylvania Bulletin*, page 801, January 9, 1971 (short form: 1 Pa.B. 801 (January 9, 1971)).

## ***Pennsylvania Code***

The *Pennsylvania Code* is the official codification of rules and regulations issued by Commonwealth agencies and other statutorily authorized documents. The *Pennsylvania Bulletin* is the temporary supplement to the *Pennsylvania Code*, printing changes as soon as they occur. These changes are then permanently codified by the *Pennsylvania Code Reporter*, a monthly, loose-leaf supplement.

The *Pennsylvania Code* is cited by title number and section number. Example: Title 10 *Pennsylvania Code*, § 1.1 (short form: 10 Pa. Code § 1.1).

Under the *Pennsylvania Code* codification system, each regulation is assigned a unique number by title and section. Titles roughly parallel the organization of Commonwealth government. Title 1 *Pennsylvania Code* lists every agency and its corresponding *Code* title location.

## **How to Find Documents**

Search for your area of interest in the *Pennsylvania Code*. The *Pennsylvania Code* is available at [www.pacode.com](http://www.pacode.com).

Source Notes give the history of regulations. To see if there have been recent changes, not yet codified, check the List of *Pennsylvania Code* Chapters Affected in the most recent issue of the *Pennsylvania Bulletin*.

A chronological table of the history of *Pennsylvania Code* sections may be found at [www.legis.state.pa.us/cfdocs/legis/CH/Public/pcde\\_index.cfm](http://www.legis.state.pa.us/cfdocs/legis/CH/Public/pcde_index.cfm).

The *Pennsylvania Bulletin* also publishes a quarterly List of Pennsylvania Code Sections Affected which lists the regulations in numerical order, followed by the citation to the *Pennsylvania Bulletin* in which the change occurred. The *Pennsylvania Bulletin* is available at [www.pabulletin.com](http://www.pabulletin.com).

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### Printing Format

Material proposed to be added to an existing rule or regulation is printed in **bold face** and material proposed to be deleted from a rule or regulation is enclosed in brackets [ ] and printed in **bold face**. Asterisks indicate ellipsis of *Pennsylvania Code* text retained without change. Proposed new or additional regulations are printed in ordinary style face.

### Fiscal Notes

Section 612 of The Administrative Code of 1929 (71 P. S. § 232) requires that the Office of Budget prepare a fiscal note for regulatory actions and administrative procedures of the administrative departments, boards, commissions or authorities receiving money from the State Treasury stating whether the proposed action or procedure causes a loss of revenue or an increase in the cost of programs for the Commonwealth or its political subdivisions; that the fiscal note be published in the *Pennsylvania Bulletin* at the same time as the proposed change is advertised. A fiscal note provides the following information: (1) the designation of the fund out of which the appropriation providing for expenditures under the action or procedure shall be made; (2) the probable cost for the fiscal year the program is implemented; (3) projected cost estimate of the program for each of the 5 succeeding fiscal years; (4) fiscal history of the program for which expenditures are to be made; (5) probable loss of revenue for the fiscal year of its implementation; (6) projected loss of revenue from the program for each of the 5 succeeding fiscal years; (7) line item, if any, of the General Appropriation Act or other appropriation act out of which expenditures or losses of Commonwealth funds shall occur as a result of the action or procedures; (8) recommendation, if any, of the Secretary of the Budget and the reasons therefor.

The required information is published in the foregoing order immediately following the proposed change to which it relates; the omission of an item indicates that the agency text of the fiscal note states that there is no information available with respect thereto. In items (3) and (6) information is set forth for the first through fifth fiscal years; in that order, following the year the program is implemented, which is stated. In item (4) information is set forth for the current and two immediately preceding years, in that order. In item (8) the recommendation, if any, made by the Secretary of Budget is published with the fiscal note. See 4 Pa. Code § 7.231 *et seq.* Where “no fiscal impact” is published, the statement means no additional cost or revenue loss to the Commonwealth or its local political subdivision is intended.

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# List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2016.

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### Adopted Rules

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**255 Pa. Code (Local Court Rules)**

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# THE COURTS

## Title 231—RULES OF CIVIL PROCEDURE

### PART I. GENERAL

[ 231 PA. CODE CH. 1915 ]

**Amendment to Rule 1915.11 of the Rules of Civil Procedure; No. 641 Civil Procedural Rules Doc.**

#### Order

*Per Curiam*

*And Now*, this 18th day of May, 2016, upon the recommendation of the Domestic Relations Procedural Rules Committee; the proposal having been submitted without publication pursuant to Pa.R.J.A. No. 103(a)(3):

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 1915.11 of the Pennsylvania Rules of Civil Procedure is amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective on July 1, 2016.

#### Annex A

### TITLE 231. RULES OF CIVIL PROCEDURE

#### PART I. GENERAL

#### CHAPTER 1915. ACTIONS FOR CUSTODY OF MINOR CHILDREN

Rule 1915.11. Appointment of Attorney for Child. [ **Interrogation** ] **Interview** of Child. Attendance of Child at Hearing or Conference.

(a) The court may on its own motion, or the motion of a party, appoint an attorney to represent the child in the action. Counsel for the child shall represent the child's legal interests and zealously represent the child as any other client in an attorney-client relationship. Counsel for the child shall not perform the role of a guardian *ad litem* or best interests attorney. The court may assess the cost of the child's attorney upon the parties [ **or any of them** ] in such proportions as the court deems appropriate or as otherwise provided by law. The order appointing an attorney to represent the child shall be in substantially the form set forth in [ **Rule** ] Pa.R.C.P. No. 1915.19.

(b) The court may [ **interrogate** ] **interview** a child, whether or not the **child is the** subject of the action, in open court or in chambers. The [ **interrogation** ] **interview** shall be conducted in the presence of the attorneys and, if permitted by the court, the parties. The attorneys shall have the right to [ **interrogate** ] **interview** the child under the supervision of the court. The [ **interrogation** ] **interview** shall be part of the record.

\* \* \* \* \*

[Pa.B. Doc. No. 16-944. Filed for public inspection June 3, 2016, 9:00 a.m.]

### PART I. GENERAL

[ 231 PA. CODE CH. 1915 ]

**Amendment to Rule 1915.15 of the Rules of Civil Procedure; No. 642 Civil Procedural Rules Doc.**

#### Order

*Per Curiam*

*And Now*, this 18th day of May, 2016, upon the recommendation of the Domestic Relations Procedural Rules Committee; the proposal having been submitted without publication pursuant to Pa.R.J.A. No. 103(a)(3):

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 1915.15 of the Pennsylvania Rules of Civil Procedure is amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective on July 1, 2016.

#### Annex A

### TITLE 231. RULES OF CIVIL PROCEDURE

#### PART I. GENERAL

#### CHAPTER 1915. ACTIONS FOR CUSTODY OF MINOR CHILDREN

**Rule 1915.15. Form of Complaint. Caption. Order. Petition to Modify a Custody Order.**

\* \* \* \* \*

(b) A petition to modify a custody order shall be in substantially the following form:

(Caption)

#### PETITION FOR MODIFICATION OF A CUSTODY ORDER

**1. Petitioner is \_\_\_\_\_ and resides at \_\_\_\_\_ .**

**2. Respondent is \_\_\_\_\_ and resides at \_\_\_\_\_ .**

**[ 1. The petition of \_\_\_\_\_ ] 3. Petitioner respectfully represents that on \_\_\_\_\_, 20\_\_ an Order of Court was entered for (shared legal custody) (sole legal custody) (partial physical custody) (primary physical custody) (shared physical custody) (sole physical custody) (supervised physical custody)[ , a ]. A true and correct copy of [ which ] the Order is attached.**

**[ 2. ] 4. This Order should be modified because: \_\_\_\_\_**

**[ 3. ] 5. Petitioner has attached the Criminal Record/Abuse History Verification form required pursuant to Pa.R.C.P. No. 1915.3-2.**

WHEREFORE, Petitioner requests that the Court modify the existing Order because it will be in the best interest of the child(ren).

\_\_\_\_\_  
(Attorney for Petitioner) (Petitioner)

I verify that the statements made in this petition are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date

Petitioner

\* \* \* \* \*

[Pa.B. Doc. No. 16-945. Filed for public inspection June 3, 2016, 9:00 a.m.]

## Title 249—PHILADELPHIA RULES

### PHILADELPHIA COUNTY

#### Child Protective Services Law; No. 1 of 2016

##### Order

And now, this 12th day of May, 2016, upon consideration of the 2014 and 2015 amendments to the Pennsylvania State Child Protective Services Law which requires First Judicial District (“FJD”) employees, volunteers (interns), and job applicants whose employment or volunteer responsibilities include, as an integral component, the regular and repeated contact with children under the age of 18 in the course of providing care, supervision, guidance or control of the children to obtain criminal background checks and child abuse clearances from the FBI, Pennsylvania State Police, and Department of Human Services prior to December 31, 2015 and every 60 months thereafter, the Administrative Governing Board of the First Judicial District of Pennsylvania (“AGB”) has decided that effective immediately:

1) No individual under the age of 16 years of age shall be permitted to be employed in any capacity (full time or part time), or to serve as a volunteer or as an intern in the FJD, unless specifically approved in writing by the AGB.

2) FJD employees who supervise any employee, volunteer or intern who are between 16 and 18 years of age must notify the Office of Human Resources (“OHR”) via email as soon as they are assigned to supervise such minor employee, volunteer or intern. Any FJD employee who currently supervises such minors must notify OHR within ten (10) days of the distribution of this order to FJD employees.

3) Upon receipt of such notification, OHR must forthwith verify that the criminal background checks and child abuse clearances listed below have been submitted and that they are current. In the event such reports and clearances have not been submitted or are not current, OHR shall coordinate with the supervisor the following requests:

- a. Pennsylvania Child Abuse Clearance.
- b. Pennsylvania State Police Records Check.
- c. FBI Report (which requires submission of a full set of fingerprints).

The cost for the above reports and clearances will be paid by the FJD.

The provisions of this Order do not apply to minors who attend FJD facilities for courtroom observations under the supervision of the minors’ school or other institution.

This Order shall be filed with the Office of Judicial Records in a Docket maintained for orders issued by the Administrative Governing Board of the First Judicial District of Pennsylvania, and shall be submitted to the *Pennsylvania Bulletin* for publication. Copies of the order shall be submitted to the Administrative Office of Pennsylvania Courts, American Lawyer Media, *The Legal Intelligencer*, Jenkins Memorial Law Library, and the Law Library for the First Judicial District of Pennsylvania, and shall be posted on the website of the First Judicial District of Pennsylvania: <http://www.courts.phila.gov/regs>.

By the Court

HONORABLE SHEILA WOODS-SKIPPER,  
Chair, Administrative Governing Board  
First Judicial District of Pennsylvania  
President Judge, Court of Common Pleas  
Philadelphia County

[Pa.B. Doc. No. 16-946. Filed for public inspection June 3, 2016, 9:00 a.m.]

### PHILADELPHIA COUNTY

#### Juvenile Lifers Sentenced Without the Possibility of Parole Program; General Court Regulation No. 1 of 2016

The United States Supreme Court held in *Miller v. Alabama*, 567 U.S. —, 132 S.Ct. 2455, 183 L.Ed.2d 407 (2012) that life without parole is an excessive sentence for children whose crimes reflect transient immaturity and violates the Eighth Amendment’s prohibition on “cruel and unusual punishments. While *Miller* does not foreclose a sentencing court’s ability to impose life without parole on a juvenile, it does require that the sentencing court consider a child’s “diminished culpability and heightened capacity for change” before condemning him or her to die in prison. The Court noted that a lifetime in prison is a disproportionate sentence for all but the rarest of children, those whose crimes reflect “irreparable corruption.”

In *Montgomery v. Louisiana*, —, U.S. —, 136 S.Ct. 718, 726 (as revised Jan. 27, 2016), the United States Supreme Court held that *Miller* had adopted a new substantive rule of constitutional law and that the federal Constitution requires state collateral review courts to give it retroactive effect to people condemned as juveniles to die in prison. The Court stated that *Miller* mandates a “hearing where ‘youth and its attendant characteristics’ are considered as sentencing factors is necessary to separate those juveniles who may be sentenced to life without parole from those who may not. The Court further noted that giving *Miller* retroactive effect does not require States to relitigate sentences in every case where a juvenile offender received mandatory life without parole. Rather, a State may remedy a *Miller* violation by permitting juvenile homicide offenders to be considered for parole, rather than by resentencing them.

The Court concluded by noting that minors sentenced to life without the possibility of parole “must be given the opportunity to show their crime did not reflect irreparable corruption; and, if it did not, their hope for some years of life outside prison walls must be restored.” *Montgomery*, at 136 S.Ct. 736-737.

The within General Court Regulation establishes the procedure which will be used to provide Juvenile Lifers

Sentenced Without the Possibility of Parole ("JLSWOP") the opportunity to show that their crime did not reflect irreparable corruption and that they should be considered to be released on parole. Moreover, in light of the fact that cases eligible for this Program span decades and involved numerous trial judges who have retired, have been reassigned, and are otherwise unavailable, extraordinary circumstances exist which, in accordance with Pa.R.Crim.P. 700(A), justify the assignment of these cases as provided herein, to enable the Court to efficiently and expeditiously dispose of these cases.

The following procedures and protocol will be utilized in the disposition of cases assigned to the JLSWOP Program:

1. *PCRA Conference*: Cases to be processed under this Program shall be listed for a PCRA Conference ("JLSWOP Status") before the Homicide Team Leader.

a. At the JLSWOP-Status hearing the parties shall be prepared to submit a concise statement of the case which shall include, the nature and extent of discovery sought, if any, legal issues, factual disputes, anticipated length of the resentencing hearing, number of witnesses anticipated, etc.

b. Counsel shall be prepared to identify any extraordinary factors impacting issuance of a JLSWOP Conference Order as more clearly set forth herein below.

2. *JLSWOP Conference Order*: Upon conclusion of the JLSWOP-Status hearing, the Homicide Team Leader shall issue a JLSWOP Conference Order, substantially in the form attached as Exhibit "A," setting forth the date for the projected resentencing hearing. The JLSWOP Conference Order will also include deadlines for the submission of all relevant resentencing information and any questions of law.

a. *Event Types*. Based upon the nature and complexity of the case, the Homicide Team Leader, with input from the parties at the JLSWOP Status, shall assign the case to an event type. The JLSWOP Conference Order shall typically employ the following management event types:

i. *"JLSWOP Resentencing"*: Projected Resentencing Date within 120 days of the JLSWOP Status

ii. *"JLSWOP Hearing"*: Projected Resentencing Date more than 120 days of the JLSWOP Status

b. Cases should be designated JLSWOP Hearing only upon "good cause shown." Any case so designated shall be assigned a Projected Resentencing date not greater than 240 days beyond the JLSWOP Status.

c. Any request for an extension of deadlines or event type changes as set forth in the JLSWOP Conference Order shall be upon motion which shall be decided by the Homicide Team Leader.

3. An en banc panel of Common Pleas judges is established to hear and decide all JLSWOP questions of law. Consistent with the U.S. Supreme Court's directive in *Montgomery v. Louisiana* any interlocutory appeal of an Order issued by the en banc panel shall be immediately certified pursuant to 42 Pa.C.S. § 702. Decisions rendered by the en banc panel shall be binding on all trial courts of the First Judicial District and as such shall be considered the law of the case.

4. Until further order, the following assignments are made:

a. *En Banc panel*: The Honorable Lillian H. Ransom, Homicide Team Leader, the Honorable Barbara A. McDermott and the Honorable Jeffrey P. Minehart shall

comprise the En Banc panel of judges herein referenced. The Administrative Judge may from time to time designate other judges to comprise the en banc panel.

b. *Presiding Judges*: the Honorable Barbara A. McDermott or the Honorable Jeffrey P. Minehart shall be assigned as presiding judge in all contested resentencing hearings. The Administrative Judge may from time to time designate other judges to preside in contested resentencing hearings. Individual case assignments shall be made by the Homicide Team leader at the JLSWOP Status hearing.

c. Should negotiations result in a stipulation addressing all issues prior to the resentencing hearing, the case shall be slated forthwith for immediate disposition before the assigned presiding judge.

This General Court Regulation is issued in accordance with the April 11, 1986 order of the Supreme Court of Pennsylvania, Eastern District, No. 55 Judicial Administration, Docket No. 1. As required by Pa.R.Crim.P. No. 105(D), this General Court Regulation has been submitted to the Supreme Court's Criminal Procedural Rules Committee for review and written notification has been received from the Committee certifying that this General Court Regulation is not inconsistent with any general rule of the Supreme Court. This General Court Regulation shall be filed with the Office of Judicial Records (formerly the Prothonotary, Clerk of Quarter Sessions and Clerk of Courts) in a docket maintained for Orders issued by the First Judicial District of Pennsylvania. As required by Pa.R.Crim.P. No. 105(E), two certified copies of this Order and a copy on a computer diskette, shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin* and will become effective thirty (30) days after publication in the *Pennsylvania Bulletin*. As required by Pa.R.Crim.P. No. 105(F) one certified copy of this General Court Regulation shall be filed with the Administrative Office of Pennsylvania Courts and will also be published on the Unified Judicial System's web site at <http://ujportal.pacourts.us/localrules/ruleselection.aspx> and posted on the First Judicial District's website at <http://courts.phila.gov>. Copies shall be published in *The Legal Intelligencer* and will be submitted to American Lawyer Media, Jenkins Memorial Law Library, and the Law Library for the First Judicial District.

By the Court

HONORABLE JACQUELINE F. ALLEN,  
Administrative Judge, Trial Division  
Court of Common Pleas, Philadelphia County

**Exhibit "A"—JLSWOP CONFERENCE ORDER  
IN THE COURT OF COMMON PLEAS OF  
PHILADELPHIA COUNTY**

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA  
TRIAL DIVISION-CRIMINAL**

Caption : CPCMS Docket No.

**JUVENILE LIFERS SENTENCED WITHOUT THE  
POSSIBILITY OF PAROLE PROGRAM CONFERENCE  
ORDER**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, upon consideration of the JLSWOP Status Conference hearing conducted this day, it is ORDERED that:

1. The deadlines and time standard adopted for the JLSWOP \_\_\_\_\_ Event Type shall apply in this case and are incorporated herein. Any request for event type changes and deadline extensions must be submitted

by motion to the Homicide Team Leader who may only grant changes and extensions upon good cause shown.

2. Counsel shall identify any questions of law within thirty (30) days of this Order by written submission to the Homicide Team Leader.

3. The presiding judge assigned is the Honorable \_\_\_\_\_.

4. All relevant resentencing information shall be filed not later than \_\_\_\_\_ days prior to the resentencing hearing, i.e., \_\_\_\_\_.

5. Parties shall identify and submit Curriculum Vitae and any corresponding reports from all experts thirty (30) days prior to the resentencing hearing.

6. The projected date for the said resentencing hearing is \_\_\_\_\_. The anticipated length of resentencing hearing \_\_\_\_\_ day(s).

BY THE COURT

\_\_\_\_\_  
RANSOM, J.

[Pa.B. Doc. No. 16-947. Filed for public inspection June 3, 2016, 9:00 a.m.]

# STATEMENTS OF POLICY

## Title 4—ADMINISTRATION

### PART II. EXECUTIVE BOARD

#### [ 4 PA. CODE CH. 9 ]

#### **Reorganization of the Department of Environmental Protection**

The Executive Board approved a reorganization of the Department of Environmental Protection effective May 18, 2016.

The organization chart at 46 Pa.B. 2859 (June 4, 2016) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

*(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of Pennsylvania Code) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)*

[Pa.B. Doc. No. 16-948. Filed for public inspection June 3, 2016, 9:00 a.m.]

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# NOTICES

## DEPARTMENT OF AGRICULTURE

### Fertilizer Nutrient Values

The Secretary of Agriculture, under the authority of 3 Pa.C.S. § 6710 (relating to commercial value), establishes the commercial values per pound of nitrogen, available phosphate and soluble potash.

The values are established as follows:

Nitrogen	\$0.55 per pound
Available phosphate	\$0.48 per pound
Soluble potash	\$0.41 per pound

### Further Information

Further information is available by contacting David Dressler, Agronomic Program Specialist, Bureau of Plant Industry, Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 772-5215.

### Effective Date

These commercial values are effective beginning July 1, 2016, and shall remain effective until further notice.

RUSSELL C. REDDING,  
*Secretary*

[Pa.B. Doc. No. 16-949. Filed for public inspection June 3, 2016, 9:00 a.m.]

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P.L. 847, No. 356), known as the Banking Code of 1965; the act of May 15, 1933 (P.L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P.L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending May 24, 2016.

Under section 503.E of the Department of Banking and Securities Code (71 P.S. § 733-503.E), any person wishing to comment on the following applications, with the exception of branch applications, may file their comments in writing with the Department of Banking and Securities, Corporate Applications Division, 17 North Second Street, Suite 1300, Harrisburg, PA 17101-2290. Comments must be received no later than 30 days from the date notice regarding receipt of the application is published in the *Pennsylvania Bulletin*. The nonconfidential portions of the applications are on file at the Department and are available for public inspection, by appointment only, during regular business hours. To schedule an appointment, contact the Corporate Applications Division at (717) 783-2253. Photocopies of the nonconfidential portions of the applications may be requested consistent with the Department's Right-to-Know Law Records Request policy.

### BANKING INSTITUTIONS

#### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
5-10-2016	ACNB Bank Gettysburg Adams County	1801 Baltimore Pike Hanover York County	Opened
5-24-2016	Bank of Bird-In-Hand Bird-In-Hand Lancaster County	3540 Old Philadelphia Pike Intercourse Lancaster County	Filed
5-24-2016	Univest Bank and Trust Co. Souderton Montgomery County	90 Willow Valley Lakes Drive Willow Street Lancaster County	Filed
5-13-2016	Manor Bank Manor Westmoreland County	833 State Route 130 Trafford Westmoreland County	Closed

### CREDIT UNIONS

No activity.

The Department's web site at [www.dobs.pa.gov](http://www.dobs.pa.gov) includes public notices for more recently filed applications.

ROBIN L. WIESSMANN,  
*Secretary*

[Pa.B. Doc. No. 16-950. Filed for public inspection June 3, 2016, 9:00 a.m.]



# DEPARTMENT OF ENVIRONMENTAL PROTECTION

## Applications, Actions and Special Notices

### APPLICATIONS

#### THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT APPLICATIONS FOR NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

This notice provides information about persons who have applied for a new, amended or renewed NPDES or WQM permit, a permit waiver for certain stormwater discharges or submitted a Notice of Intent (NOI) for coverage under a General Permit. The applications concern, but are not limited to, discharges regarding industrial, animal or sewage waste, discharges to groundwater, discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities or concentrated animal feeding operations (CAFO). This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or Amendment
Section III	WQM	Industrial, Sewage or Animal Waste; Discharge into Groundwater
Section IV	NPDES	MS4 Individual Permit
Section V	NPDES	MS4 Permit Waiver
Section VI	NPDES	Individual Permit Stormwater Construction
Section VII	NPDES	NOI for Coverage under NPDES General Permits

For NPDES renewal applications in Section I, the Department of Environmental Protection (Department) has made a tentative determination to reissue these permits for 5 years subject to effluent limitations and monitoring and reporting requirements in their current permits, with appropriate and necessary updated requirements to reflect new and changed regulations and other requirements.

For applications for new NPDES permits and renewal applications with major changes in Section II, as well as applications for MS4 Individual Permits and Individual Stormwater Construction Permits in Sections IV and VI, the Department, based upon preliminary reviews, has made tentative determinations of proposed effluent limitations and other terms and conditions for the permit applications. In accordance with 25 Pa. Code § 92a.32(d), the proposed discharge of stormwater associated with construction activities will be managed in accordance with the requirements of 25 Pa. Code Chapter 102. These determinations are published as proposed actions for comments prior to taking final actions.

Unless indicated otherwise, the United States Environmental Protection Agency (EPA) Region III Administrator has waived the right to review or object to proposed NPDES permit actions under the waiver provision in 40 CFR 123.24(d).

Persons wishing to comment on NPDES applications are invited to submit statements to the contact office noted before the application within 30 days from the date of this public notice. Persons wishing to comment on WQM permit applications are invited to submit statements to the office noted before the application within 15 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the applications. A comment submittal should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests for public hearings on applications. A public hearing may be held if the responsible office considers the public response significant. If a hearing is scheduled, a notice of the hearing will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. The Department will postpone its final determination until after a public hearing is held.

Persons with a disability who require an auxiliary aid, service, including TDD users, or other accommodations to seek additional information should contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

#### I. NPDES Renewal Applications

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0061921 (Sewage)	Silverleaf Resorts, Inc. Brookdale Resort Brookdale and Dyson Roads Scotrun, PA 18355	Monroe County Pocono Township	Brookdale Lake (01E)	Yes

*North Central Regional Office: Clean Water Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.3636.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0228214 (Industrial)	The Coca Cola Company 217 Aquapenn Drive Howard, PA 16841	Centre County Boggs Township	Unnamed Tributary to Bald Eagle Creek and Unnamed Stream (9-C)	Yes
PA0209368 (Sewage)	Benton Foundry 5297 State Route 487 Benton, PA 17814-7641	Columbia County Sugarloaf Township	UNT to Coles Creek (5-C)	Yes

*Southwest Regional Office: Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Phone: 412.442.4000*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0096318 (Sewage)	Covi—Douglas STP Forest Grove Road Coraopolis, PA 15108	Allegheny County Robinson Township	Unnamed Tributary to Moon Run (20-G)	Y
PA0094137 (Sewage)	Suburban Terrace MHC STP 8038 Jupiter Drive Aliquippa, PA 15001	Beaver County Hopewell Township	Unnamed Tributary to Boggs Run (20-G)	Y
PA0036307 (Sewage)	Robinson Township WTP 4200 Campbells Run Road Pittsburgh, PA 15205	Allegheny County Robinson Township	Moon Run (20-G)	No

*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0221023 (sewage)	Christopher S Arford SRSTP 4660 Hatch Run Road Warren, PA 16365	Warren County Glade Township	Hatch Run (16-B)	Y

## **II. Applications for New or Expanded Facility Permits, Renewal of Major Permits and EPA Non-Waived Permit Applications**

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5970*

**PA0034487**, Storm Water, SIC Code 5171, **Meenan Oil Co. LP**, 113 Main Street, Tullytown, PA 19007. Facility Name: Meenan Oil Company IWTP. This existing facility is located in Tullytown Borough, **Bucks County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Industrial Stormwater.

The receiving stream(s), Unnamed Tributary to Delaware River and Delaware River, is located in State Water Plan watershed 2-E and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Average Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	Inst Min 30.0	XXX	XXX	60
Oil and Grease	XXX	XXX	15.0	XXX	XXX	30
Total Recoverable Petroleum Hydrocarbons	XXX	XXX	15.0	XXX	XXX	30

The proposed effluent limits for Outfall 002

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Average Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	30.0	XXX	XXX	60
Oil and Grease	XXX	XXX	15.0	XXX	XXX	30
Total Recoverable Petroleum Hydrocarbons	XXX	XXX	15.0	XXX	XXX	30

In addition, the permit contains the following major special conditions:

- Requirements applicable to stormwater outfalls
- Acquiring all necessary property rights
- Requirements for Petroleum Marketing Terminals

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA Waiver is in effect.

**PA0057908**, Sewage, SIC Code 7997, **Jericho National Golf Club, Inc.**, 250 Brownsburg Road, New Hope, PA 18938. Facility Name: Jericho National Golf Club STP. This existing facility is located in Upper Makefield Township, **Bucks County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Sewage.

The receiving stream(s), Unnamed Tributary to Jericho Creek, is located in State Water Plan watershed 2-E and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0042 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Average Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Geometric Mean</i>	<i>Maximum</i>	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	0.5	XXX	XXX	1.2
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )						
Nov 1 - Apr 30	XXX	XXX	20.0	XXX	XXX	40
May 1 - Oct 31	XXX	XXX	10.0	XXX	XXX	20
Total Suspended Solids	XXX	XXX	10.0	XXX	XXX	20
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	200.0	XXX	1,000.0
May 1 - Sep 30	XXX	XXX	XXX	200.0	XXX	1,000.0
Total Nitrogen	XXX	XXX	Report	XXX	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	9.0	XXX	XXX	18
May 1 - Oct 31	XXX	XXX	3.0	XXX	XXX	6
Total Phosphorus	XXX	XXX	Report	XXX	XXX	XXX

In addition, the permit contains the following major special conditions:

- Notification of operator
- Change in ownership
- Sludge and solids disposal

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA Waiver is in effect.

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.*

**PA0042048**, Sewage, SIC Code 4952, **Conyngham—Sugarloaf Joint Municipal Authority**, P.O. Box 469, Conyngham, PA 18219. Facility Name: Conyngham-Sugarloaf Joint Municipal Authority WWTP. This existing facility is located in Sugarloaf Township, **Luzerne County**.

Description of Existing Activity: This application is for renewal and transfer of an NPDES permit for an existing discharge of treated sewage.

The receiving stream, Little Nescopeck Creek, is located in State Water Plan watershed 05D and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.350 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	1.0	XXX	2.0
CBOD <sub>5</sub>	73	117	XXX	25	40	50
		Wkly Avg				
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	87	131	XXX	30	45	60
		Wkly Avg				
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Nitrite-Nitrate as N	Report Annl Avg	XXX	XXX	Report Annl Avg	XXX	XXX
Total Nitrogen	Report Annl Avg	XXX	XXX	Report Annl Avg	XXX	XXX
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	Report
Total Kjeldahl Nitrogen	Report Annl Avg	XXX	XXX	Report Annl Avg	XXX	XXX
Total Phosphorus	Report Annl Avg	XXX	XXX	Report Annl Avg	XXX	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570.826.5472.

The EPA Waiver is in effect.

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.*

**PA0023183**, Sewage, SIC Code 4952, **Mount Holly Springs Borough Authority Cumberland County**, 200 Harman Street, Mount Holly Springs, PA 17065-1339. Facility Name: Mount Holly Springs STP. This existing facility is located in Mount Holly Springs Borough, **Cumberland County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Sewage.

The receiving stream(s), Mountain Creek, is located in State Water Plan watershed 7-E and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.6 MGD

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
UV light intensity (µw/cm <sup>2</sup> )	XXX	XXX	Report	XXX	XXX	XXX
CBOD <sub>5</sub>						
Nov 1 - Apr 30	173	277	XXX	25.0	40.0	50
		Wkly Avg				
May 1 - Oct 31	138	208	XXX	20.0	30.0	40
		Wkly Avg				

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	208	311	XXX	30.0	45.0	60
		Wkly Avg				
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen						
Nov 1 - Apr 30	52	XXX	XXX	7.5	XXX	15
May 1 - Oct 31	17	XXX	XXX	2.5	XXX	5.0
Total Phosphorus	14	XXX	XXX	2.0	XXX	4.0
Copper, Total	XXX	Report	XXX	XXX	Report Daily Max	XXX

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 001.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>	<i>Monthly</i>	<i>Monthly Average</i>	<i>Maximum</i>	
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
Net Total Nitrogen	Report	10,959	XXX	XXX	XXX	XXX
Net Total Phosphorus	Report	1,461	XXX	XXX	XXX	XXX

\* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Chapter 96 regulations. The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is not in effect.

**PA0082589**, Sewage, SIC Code 4952, **Pennsylvania American Water**, 852 Wesley Drive, Mechanicsburg, PA 17055. Facility Name: Fairview Township South STP. This existing facility is located in Fairview Township, **York County**.

Description of Existing Activity: The application is for a renewal & transfer of an NPDES permit for an existing discharge of treated Sewage.

The receiving stream(s), Unnamed Tributary to Fishing Creek, is located in State Water Plan watershed 7-E and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.5 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.20	XXX	0.64
CBOD <sub>5</sub>	104	167	XXX	25.0	40.0	50
		Wkly Avg				
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	125	187	XXX	30.0	45.0	60
		Wkly Avg				
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX



<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Ammonia-Nitrogen				Geo Mean		
Nov 1 - Apr 30	23	XXX	XXX	5.7	XXX	11
May 1 - Oct 31	7.9	XXX	XXX	1.9	XXX	3.8
Total Phosphorus	8.3	XXX	XXX	2.0	XXX	4
Copper, Total	0.06	0.08	XXX	0.015	0.02	XXX
Zinc, Total	0.5	0.79	XXX	0.12	Daily Max 0.19	XXX
					Daily Max	

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 001.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>	<i>Monthly</i>	<i>Monthly Average</i>	<i>Maximum</i>	
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
Net Total Nitrogen <sup>3</sup>	Report	9,132	XXX	XXX	XXX	XXX
Net Total Phosphorus <sup>3</sup>	Report	1,218	XXX	XXX	XXX	XXX

\* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Chapter 96 regulations. The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is not in effect.

**PA0084247**, Sewage, SIC Code 3357, **Nexans Inc. (Berk-Tek Inc.)**, 132 White Oak Road, New Holland, PA 17557-8303. Facility Name: Berk-Tek New Holland WWTP. This existing facility is located in Earl Township, **Lancaster County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Sewage.

The receiving stream, Unnamed Tributary to Conestoga River, is located in State Water Plan watershed 7-J and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0075 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Total Monthly</i>	<i>Total Annual</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report Avg Mo	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Nitrate-Nitrite as N (lbs)	Report	XXX	XXX	Geo Mean	XXX	XXX
Total Nitrogen (lbs)	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	XXX	Report	XXX	Report	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Total Annual</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	Report	XXX	Report
May 1 - Oct 31	XXX	XXX	XXX	10.0	XXX	20
Total Kjeldahl Nitrogen (lbs)	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus (lbs)	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	XXX	Report	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 0 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003 are based on a design flow of 0 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 004 are based on a design flow of 0 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX



<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Oil and Grease						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is in effect.

**PA0247642**, Sewage, SIC Code 6514, **Clay Manor Homeowner's Association**, 111 East Manor Drive, Lititz, PA 17543. Facility Name: Clay Manor Homeowner's Association STP. This existing facility is located in Elizabeth Township, **Lancaster County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Sewage.

The receiving stream, Middle Creek, is located in State Water Plan watershed 7-J and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.011 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Total Monthly</i>	<i>Total Annual</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report Avg Mo	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Nitrate-Nitrite as N (lbs)	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen (lbs)	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen (lbs)	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus (lbs)	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is in effect.

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*Northcentral Regional Office: Regional Clean Water Program Manager, 208 W Third Street, Suite 101, Williamsport, PA 17701-6448, Telephone: 570.327.0530.*

**PA0027049**, Sewage, SIC Code 4952, **Williamsport Sanitary Authority**, 253 W 4th Street, Williamsport, PA 17701-6113. Facility Name: West Plant. This existing facility is located in City of Williamsport, **Lycoming County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Sewage.

The receiving stream(s), West Branch Susquehanna River, is located in State Water Plan watershed 10-A and is classified for Warm Water Fishes, Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 3.92 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Report	XXX	XXX	XXX
Total Residual Chlorine (Interim)	XXX	XXX	XXX	1.35	XXX	4.41
(Final)	XXX	XXX	XXX	0.50	XXX	1.63
CBOD <sub>5</sub>	1,110	1,765	XXX	34.0	54.0	68
		Wkly Avg			Wkly Avg	
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	1,470	2,190	XXX	45.0	67.0	90
		Wkly Avg			Wkly Avg	
Total Dissolved Solids	Report	Report	XXX	Report	Report	XXX
Fecal Coliform (No./100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Copper	Report	Report	XXX	Report	Report	XXX
Sulfate	Report	Report	XXX	Report	Report	XXX
Bromoform	Report	Report	XXX	Report	Report	XXX
Chloride	Report	Report	XXX	Report	Report	XXX
Bromide	Report	Report	XXX	Report	Report	XXX
Chlorodibromomethane	Report	Report	XXX	Report	Report	XXX
Dichlorobromomethane	Report	Report	XXX	Report	Report	XXX

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 001.

<i>Parameters</i>	<i>Mass (lbs)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report		Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen	Report	71,597			
Net Total Phosphorus	Report	9,546			

\* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Chapter 96 regulations. The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-327-3693.

The EPA Waiver is not in effect.

**PA0232751**, Sewage, SIC Code 4952, **Potter Township Centre County**, 124 Short Road, Spring Mills, PA 16875-9326. Facility Name: Potters Mills Central Treatment System. This proposed facility is located in Potter Township, **Centre County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated Sewage.

The receiving stream(s), Sinking Creek, is located in State Water Plan watershed 6-A and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.014 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Total Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report Avg Mo	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	Report	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	2.91 Avg Mo	XXX	XXX	25.0	XXX	50.0
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Raw Sewage Influent	Report Avg Mo	Report	XXX	Report	XXX	XXX
Total Suspended Solids	3.50 Avg Mo	XXX	XXX	30.0	XXX	60.0
Total Suspended Solids Raw Sewage Influent	Report Avg Mo	Report	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ultraviolet light intensity (%)	XXX	XXX	Report	XXX	XXX	XXX
Ammonia-Nitrogen	Report Avg Mo	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 001.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>	<i>Monthly</i>	<i>Monthly Average</i>	<i>Maximum</i>	
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
Net Total Nitrogen <sup>3</sup>	Report	0	XXX	XXX	XXX	XXX
Net Total Phosphorus <sup>3</sup>	Report	0	XXX	XXX	XXX	XXX

\* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Chapter 96 regulations. The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-327-3693.

The EPA Waiver is not in effect.

**PA0008419**, Industrial, SIC Code 2833, 2834, **Cherokee Pharmaceuticals LLC**, PO Box 367, Riverside, PA 17868-0367. Facility Name: Cherokee Pharmaceuticals LLC. This existing facility is located in Riverside Borough, **Northumberland County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Industrial Waste.

The receiving stream(s), Susquehanna River, is located in State Water Plan watershed 5-E and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 5.06 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30.0

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average</i>	<i>Daily</i>	<i>Minimum</i>	<i>Average</i>	<i>Daily</i>	
	<i>Monthly</i>	<i>Maximum</i>		<i>Monthly</i>	<i>Maximum</i>	
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	XXX	7.0
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
1,4-Dioxane	Report	Report	XXX	Report	Report	XXX
Bromide	Report	Report	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 0.0 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average</i>	<i>Daily</i>	<i>Minimum</i>	<i>Average</i>	<i>Daily</i>	
	<i>Monthly</i>	<i>Maximum</i>		<i>Monthly</i>	<i>Maximum</i>	
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003 are based on a design flow of 0.0 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average</i>	<i>Daily</i>	<i>Minimum</i>	<i>Average</i>	<i>Daily</i>	
	<i>Monthly</i>	<i>Maximum</i>		<i>Monthly</i>	<i>Maximum</i>	
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 101 are based on a design flow of 1.45 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average</i>	<i>Daily</i>	<i>Minimum</i>	<i>Average</i>	<i>Daily</i>	
	<i>Monthly</i>	<i>Maximum</i>		<i>Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD <sub>5</sub> )	2,254	Report	XXX	Report	Report	715
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Industrial Influent	Report	Report	XXX	Report	XXX	XXX
Chemical Oxygen Demand (COD)						
Industrial Influent	Report	Report	XXX	Report	XXX	XXX
Chemical Oxygen Demand (COD)	7,328	Report	XXX	856.0	1,675.0	2,140
Total Suspended Solids	3,832	Report	XXX	Report	Report	1,220
Ammonia-Nitrogen	355	1,015	XXX	29	84	105
Cyanide, Total	XXX	Report	XXX	XXX	Report	XXX
4-Methyl-2-pentanone	XXX	Report	XXX	XXX	Report	XXX
Isopropanol	19.34	47.16	XXX	1.60	3.90	4.87
Phenol	0.24	0.60	XXX	0.02	0.05	0.06
Acetone	2.41	6.04	XXX	0.20	0.50	0.62
Acetonitrile	123.34	302.30	XXX	10.20	25.00	31.25
Acrylonitrile	0.14	0.24	XXX	0.01	0.02	0.03
Chlorobenzene	XXX	Report	XXX	XXX	Report	XXX
Dichlorobenzene, Total	XXX	Report	XXX	XXX	Report	XXX
Benzene	0.24	0.60	XXX	0.02	0.05	0.06
n-Butyl Acetate	6.04	15.72	XXX	0.50	1.30	1.62
1,2-Dichloroethane	1.20	4.83	XXX	0.10	0.40	0.5
Chloroform	1.57	2.41	XXX	0.13	0.20	0.32
Diethylamine	XXX	Report	XXX	XXX	Report	XXX
Isopropyl Ether	XXX	Report	XXX	XXX	Report	XXX
Dimethyl Sulfoxide	453.4	1,106.5	XXX	37.5	91.5	114.37
Ethanol	49.58	120.93	XXX	4.10	10.00	12.5
Ethyl Acetate	6.04	15.72	XXX	0.50	1.30	1.62
Heptane	0.24	0.60	XXX	0.02	0.05	0.06
Hexane	0.24	0.36	XXX	0.02	0.03	0.05
Methylene Chloride	3.62	10.88	XXX	0.30	XXX	0.90
Tetrahydrofuran	31.44	101.50	XXX	2.60	8.4	10.5
Toluene	0.24	0.72	XXX	0.02	0.06	0.07
Triethylamine	1,233.4	3,020.2	XXX	102.0	250	312.5
Xylenes, Total	XXX	Report	XXX	XXX	Report	XXX
Vinyl Chloride	XXX	Report	XXX	XXX	Report	XXX
Total Methanol	49.58	120.90	XXX	4.10	10	12.5

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
n-amyl Acetate	XXX	Report	XXX	XXX	Report	XXX
Amyl Alcohol	XXX	Report	XXX	XXX	Report	XXX
Isobutyraldehyde	XXX	Report	XXX	XXX	Report	XXX
Methyl Cellosolve	XXX	Report	XXX	XXX	Report	XXX
Methyl Formate	6.04	15.72	XXX	0.50	1.30	1.62
Isopropyl Acetate	6.04	15.72	XXX	0.50	1.30	1.62

The proposed effluent limits for Outfall 201 are based on a design flow of 0.0432 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	30	XXX	XXX
Aluminum, Total	XXX	XXX	XXX	4.0	XXX	XXX
Iron, Total	XXX	XXX	XXX	2.0	XXX	XXX
Manganese, Total	XXX	XXX	XXX	1.0	XXX	XXX

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 001.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Monthly</i>	<i>Annual</i>	<i>Monthly</i>	<i>Monthly Average</i>	<i>Maximum</i>	<i>Instant. Maximum</i>
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
Net Total Nitrogen*	Report	64,884	XXX	XXX	XXX	XXX
Net Total Phosphorus*	Report	11,748	XXX	XXX	XXX	XXX

\* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Chapter 96 regulations. The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

In addition, the permit contains the following major special conditions:

- Chesapeake Bay
- Stormwater Requirements
- Whole Effluent Toxicity
- Chemical Additives

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-327-3693.

The EPA Waiver is not in effect.

*Southwest Regional Office: Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Phone: 412.442.4000.*

**PA0254461**, Industrial, SIC Code 9611, **Urban Redevelopment Authority of Pittsburgh**, 200 Ross Street, 11th Floor, Pittsburgh, PA 15219-2069. Facility Name: Nine Mile Run. This existing facility is located in Pittsburgh City, **Allegheny County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Industrial Waste.

The receiving stream, Ninemile Run, is located in State Water Plan watershed 19-A and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001; design flow varies.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Suspended Solids	XXX	XXX	XXX	30	60	XXX
Oil and Grease	XXX	XXX	XXX	15	30	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 002; design flow varies.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Suspended Solids	XXX	XXX	XXX	30	60	XXX
Oil and Grease	XXX	XXX	XXX	15	30	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

The EPA Waiver is in effect.

**PA0254312**, Industrial, SIC Code 9999, **American Iron Oxide Company**, 2 Wheeling Pgh Steel Drive, Allenport, PA 15412. Facility Name: American Iron Oxide Co. This proposed facility is located in Allenport Borough, **Washington County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated stormwater associated with industrial activity.

The receiving stream(s), Monongahela River, is located in State Water Plan watershed 19-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a precipitation induced design flow.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Max 120.0	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	100.0	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Phosphorus, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	7.0	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

In addition, the permit contains the following major special conditions:

The permittee shall comply with all requirements in the Storm Water Plan approved by the DEP on May 14, 2015.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

The EPA Waiver is in effect.

**PA0219134**, Industrial, SIC Code 4911, **Allegheny Energy Supply Company LLC**, 800 Cabin Hill Drive, Greensburg, PA 15601-1689. Facility Name: Allegheny Energy Units 1—5 & Springdale. This existing facility is located in Springdale Township, **Allegheny County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Industrial Waste.

The receiving stream(s), Allegheny River, is located in State Water Plan watershed 18-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.



The proposed effluent limits for Outfall 001 are based on a design flow of 1.2694 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	Max XXX	1.6
Temperature (deg F) (°F)	XXX	XXX	XXX	XXX	110	XXX
Total Dissolved Solids	Report	Report	XXX	Report	Report	XXX
Copper, Total	Report	Report	XXX	Report	Report	XXX
Sulfate, Total	Report	Report	XXX	Report	Report	XXX
Hexachlorobenzene <sup>1</sup>	XXX	XXX	XXX	0.000769	0.001538	0.005
Benzidine <sup>1</sup>	XXX	XXX	XXX	0.000236	0.000472	0.05
Chloride	Report	Report	XXX	Report	Report	XXX
Bromide	Report	Report	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 101 are based on a design flow of 0.963 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Internal Monitoring Point pH	XXX	XXX	6.0	XXX	9.0	XXX
Free Available Chlorine	XXX	XXX	XXX	0.2	0.5	XXX
Internal Monitoring Point Chromium, Total	XXX	XXX	XXX	0.2	0.2	XXX
Internal Monitoring Point					Daily Max	
Zinc, Total	XXX	XXX	XXX	1.0	1.0	XXX
Internal Monitoring Point					Daily Max	

The proposed effluent limits for Outfall 201 are based on a design flow of 0.2736 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Internal Monitoring Point pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Internal Monitoring Point					Max	
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Internal Monitoring Point						
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Internal Monitoring Point						

The proposed effluent limits for Outfall 301 are based on a design flow of 0.0248 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Internal Monitoring Point pH	XXX	XXX	6.0	XXX	9.0	XXX
Internal Monitoring Point Free Available Chlorine	XXX	XXX	XXX	0.2	0.5	XXX
Internal Monitoring Point Chromium, Total	XXX	XXX	XXX	0.2	0.2	XXX
Internal Monitoring Point					Daily Max	
Zinc, Total	XXX	XXX	XXX	1.0	1.0	XXX
Internal Monitoring Point					Daily Max	



The proposed effluent limits for Outfall 401 are based on a design flow of 0.008 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)						
Internal Monitoring Point	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)						
Internal Monitoring Point	XXX	XXX	6.0	XXX	9.0 Max	XXX
Total Suspended Solids						
Internal Monitoring Point	XXX	XXX	XXX	30.0	100.0	XXX
Oil and Grease						
Internal Monitoring Point	XXX	XXX	XXX	15.0	20.0	XXX

1. The parameters indicated by footnote 1 received water quality based effluent limitations because the pollutant was reported to be present at a concentration higher than the DEP recognized target quantitative level. Allegheny Energy Supply LLC will have the opportunity to resample for those parameters during the public comment period to demonstrate that they are not present at concentrations equal to or greater than the target quantitative level. The effluent limitations or monitoring requirements may be removed from the permit or changed to less stringent technology based effluent limitations, as applicable, based on the additional sampling data provided.

In addition, the permit contains the following major special conditions:

- Cooling Water Intake Structures, Requirement to Use eDMR System, WQBELs Below Quantitation Limits

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

The EPA Waiver is not in effect.

**PA0254967**, Industrial, SIC Code 4959, **PPG Industries, Inc.**, 440 College Park Drive, Monroeville, PA 15146. Facility Name: Former Ford City Facility Slurry Lagoon Area. This proposed facility is located in Cadogan Township, **Armstrong County**.

Description of Proposed Activity: The application is for a new NPDES permit for discharges of treated and untreated groundwater and storm water.

The receiving streams, the Allegheny River and Glade Run, are located in State Water Plan watershed 17-E and are classified for Warm Water Fishes and Trout Stocking, aquatic life, water supply and recreation. The discharges are not expected to affect public water supplies.

The proposed effluent limits for Outfalls 001, 003, 004, 008, 009 and 010 are for treated and untreated groundwater seeps.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	30.0	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Antimony, Total	XXX	XXX	XXX	Report	Report	XXX
Arsenic, Total	XXX	XXX	XXX	Report	Report	XXX
Chromium, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	7.0	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Lead, Total	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 002 are for treated groundwater seeps.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	2,000	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	30.0	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Antimony, Total	XXX	XXX	XXX	Report	Report	XXX
Arsenic, Total	XXX	XXX	XXX	Report	Report	XXX
Chromium, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	7.0	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Lead, Total	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfalls 005, 006 and 007 are for groundwater seeps.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	5.0	5.0	XXX
Aluminum, Total (µg/L)						
(Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	0.75	0.75	XXX
Antimony, Total (µg/L)						
(Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	5.6	11.2	XXX
Arsenic, Total (µg/L)						
(Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	10.0	20.0	XXX
Cadmium, Total (µg/L)						
(Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	0.27	0.56	XXX
Chromium, Total (µg/L)						
(Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	10.4	20.8	XXX
Copper, Total (µg/L)						
(Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	9.3	18.6	XXX
Iron, Dissolved						
(Interim)	XXX	XXX	XXX	XXX	7.0	XXX
(Final)	XXX	XXX	XXX	1.5	3.0	XXX
Iron, Total						
(Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	1.5	3.0	XXX
Lead, Total (µg/L)						
(Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	3.2	6.4	XXX

The proposed effluent limits for Outfalls 011 and 012 are for storm water discharges.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Antimony, Total	XXX	XXX	XXX	XXX	Report	XXX
Arsenic, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Internal Monitoring Points 103 and 303 are for groundwater seeps.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	Report	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Antimony, Total	XXX	XXX	XXX	Report	Report	XXX
Arsenic, Total	XXX	XXX	XXX	Report	Report	XXX
Cadmium, Total	XXX	XXX	XXX	Report	Report	XXX
Chromium, Total	XXX	XXX	XXX	Report	Report	XXX
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Lead, Total	XXX	XXX	XXX	Report	Report	XXX
Mercury, Total	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Internal Monitoring Point 203 are for a groundwater seep.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	Report	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Antimony, Total	XXX	XXX	XXX	Report	Report	XXX
Arsenic, Total	XXX	XXX	XXX	Report	Report	XXX
Cadmium, Total	XXX	XXX	XXX	Report	Report	XXX
Chromium, Total	XXX	XXX	XXX	Report	Report	XXX
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Lead, Total	XXX	XXX	XXX	Report	Report	XXX
Mercury, Total	XXX	XXX	XXX	Report	Report	XXX
Zinc, Total	XXX	XXX	XXX	Report	Report	XXX

In addition, the permit contains the following major special conditions:

- A compliance schedule for water quality limits at Outfalls 005, 006 and 007; requirements applicable to storm water outfalls.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

The EPA Waiver is in effect.

### III. WQM Industrial Waste and Sewerage Applications under The Clean Streams Law

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.*

**WQM Permit No. WQG02481601**, Sewage, **Hanover Township**, 3630 Jacksonville Road, Bethlehem, PA 18017-9303.

This proposed facility is located in Hanover Township, **Northampton County**.

Description of Proposed Action/Activity: The project is for the replacement of the 4-inch diameter force main that conveys wastewater flows from the Hanover Corporate Center II pump station, which serves the developments in the vicinity of Hanoverville Road and Township Line Road. The proposed service area is expected to add approximately 28,000 gpd of wastewater flow tributary to the pump station. A 6-inch diameter DR-11 HDPE force main will replace the existing pipe from the pump station valve pit to the discharge manhole to handle the extra flows.

*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**WQM Permit No. 4216403**, Sewage, **Adam J. McAvoy**, 3301 W. Washington Street, Bradford, PA 16701.

This proposed facility is located in Corydon Township, **McKean County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

**WQM Permit No. 2516201**, Industrial, **Barrel O'Fun Snack Foods Co. East LLC**, 5240 Knowledge Parkway, Erie, PA 16510.

This proposed facility is located in Waterford Township, **Erie County**.

Description of Proposed Action/Activity: Construction of Process Wastewater Treatment Plant for Snack Food Facility.

#### **VI. NPDES Individual Permit Applications for Discharges of Stormwater Associated with Construction Activities**

*Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

*Lehigh County Conservation District, Lehigh Ag Center, Suite 102, 4184 Dorney Park Rd., Allentown, PA 18104*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAI023914018(1)	David Jandl Jandl Land Company 3150 Coffeetown Road Orefield, PA 18069	Lehigh	Lower Macungie Township	Little Lehigh Creek (HQ-CWF, MF)
PAI023916003	Brian Carl Weisenberg Township 2175 Seipstown Road Fogelsville, PA 18051	Lehigh	Weisenberg Township	UNT to Lyon Creek (HQ-CWF, MF)

*Monroe County Conservation District, 8050 Running Valley Rd., Stroudsburg, PA 18360-0917*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAI024516003	Stroud Township 1211 N. 5th Street Stroudsburg, PA 18360-2646	Monroe	Stroud Township	Wigwam Run (HQ-CWF, MF)

*Southwest Region: Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. (412) 442.4315*

<i>Permit No.</i>	<i>Applicant &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Stream Name</i>
PAI056314009-1	First Pennsylvania Resource, LLC 33 Terminal Way Suite 431A Pittsburgh, PA 15219	Washington County	Cross Creek Township	UNT to South Fork Creek (HQ-WWF)

*Northwest Region: Waterways and Wetlands Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481  
Lawrence County Conservation District, Lawrence County Government Center, 430 Court Street, New Castle, PA 16101*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAI063709001R	Sonoma Woods Neshannock Properties, LLC Attn: Charles J. Betters 100 Bet-Tech Drive Aliquippa, PA 15001	Lawrence	Neshannock Township	Neshannock Creek TSF UNT Shenango River WWF

#### **VII. List of NOIs for NPDES and/or Other General Permit Types**

PAG-12      CAFOs

#### **CAFO Notices of Intent Received**

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone: 717-705-4707.*

**PAG123544**, CAFO, **Shadewood Farms**, 123 Acker Road, Marietta, PA 17547.

This existing facility is located in Howe Township, **Perry County**.

Description of Size and Scope of Proposed Operation/Activity: 967.5 AEUs/swine.

The receiving stream, Howe Run, is in watershed 12-B, and classified for: WWF.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 100-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the state narrative water quality standards.

**PAG123634**, CAFO, **Hessland Farms**, 686 Rock Point Road, Mount Joy, PA 17552.

This existing facility is located in East Donegal Township, **Lancaster County**.

Description of Size and Scope of Proposed Operation/Activity: 676.79 AEUs/swine/steer.

The receiving stream, Donegal Creek, is in watershed 7-G, and classified for: TSF.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 100-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the state narrative water quality standards.

**PAG123521**, CAFO, **Eugene Nolt Farm**, 143 Kurtz Road, New Holland, PA 17557.

This existing facility is located in Earl Township, **Lancaster County**.

Description of Size and Scope of Proposed Operation/Activity: 645.96 AEUs/swine/steer.

The receiving stream, UNT of Conestoga River, is in watershed 7-J, and classified for: CWF.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 100-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the state narrative water quality standards.

## STATE CONSERVATION COMMISSION

### PROPOSED NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

This notice provides information about agricultural operations that have submitted nutrient management plans (NMPs) for approval under 3 Pa.C.S. Chapter 5 and that have or anticipate submitting applications for new, amended or renewed NPDES permits, or Notices of Intent (NOIs) for coverage under a general permit, for CAFOs, under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Based upon preliminary reviews, the State Conservation Commission (SCC) or County Conservation Districts (CCD) working under a delegation agreement with the SCC have completed an administrative review of NMPs described. These NMPs are published as proposed plans for comment prior to taking final actions. The NMPs are available for review at the CCD office for the county where the agricultural operation is located. A list of CCD office locations is available at <http://www.nacdnet.org/about/districts/directory/pa.phtml> or can be obtained from the SCC at the office address listed or by calling (717) 787-8821.

Persons wishing to comment on an NMP are invited to submit a statement outlining their comments on the plan to the CCD, with a copy to the SCC for each NMP, within 30 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the NMPs. Comments should include the name, address and telephone number of the writer and a concise statement to inform the SCC of the exact basis of the comments and the relevant facts upon which they are based. Comments should be sent to the SCC, Agriculture Building, Room 310, 2301 North Cameron Street, Harrisburg, PA 17110.

Persons with a disability who require an auxiliary aid, service, including TDD users or other accommodations to seek additional information should contact the SCC through the Pennsylvania AT&T Relay Service at (800) 654-5984.

#### NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Application Renewal/New</i>
ST Genetics Dairy 1141 State Road Lincoln Univ., PA 19352	Chester	75.6	1,292.70	Dairy	HQ	Renewal
Hillandale Gettysburg, LP 3910 Oxford Road Gettysburg, PA 17325 (Site 1, Site 2, Site 5 Farm, Site 3, Lake Meade Site, Pullet Site)	Adams	1,169.6	21,319.15	Layers	NA	Renewal
Country View Family Farms, LLC Willow Hill Farm 12598 Creek Road Fannettsburg, PA 17221	Franklin	121	2,954.95	Swine	NA	Renewal



<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Application Renewal/New</i>
Country View Family Farms, LLC New Hope Farm 23177 Back Road Concord, PA 17217	Franklin	29	2,715.95	Swine	NA	Renewal
Dale Frank 3167 Bossler Rd. Elizabethtown, PA 17022	Lancaster	600	802.04	Broilers	NA	Renewal
Penn Valley Farm 165 Phillips Lane Mohrsville, PA 19541	Berks	10	1,169.32	Swine	NA	New
Alan Harnish 3421 Blue Rock Road Lancaster, PA 17603	Lancaster	47	578.72	Swine	NA	Renewal
A. Wayne Rudolph 2129 Grace Ave. Lebanon, PA 17046	Lebanon	194	186.01	Poultry— Pullets	NA	Renewal
Joel Rutt 1178 White Oak Road Manheim, PA 17545	Lancaster	194	433.31	Swine/ Poultry/Beef	NA	Renewal
Eugene Nolt 143 Kurtz Road New Holland, PA 17557	Lancaster	64	637.97	Swine/Beef	NA	Renewal
Future View Farm LLC Jeffrey Frey 13 Radcliff Road Willow Street, PA 17584	Lancaster	535	595.46	Swine	NA	Renewal
Robert Brubaker Jr. 2205 Camp Road Manheim, PA 17545	Lancaster	35.7	427.4	Broiler	NA	Renewal
Paul Swanger 150 Kissel Barrick Rd. Bainbridge, PA 17502	Lancaster	8.5	373.3	Swine	NA	Renewal

## PUBLIC WATER SUPPLY (PWS) PERMITS

Under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17), the following parties have applied for PWS permits to construct or substantially modify public water systems.

Persons wishing to comment on permit applications are invited to submit statements to the office listed before the application within 30 days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding an application. A comment should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

Following the comment period, the Department will make a final determination regarding the proposed permit. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The permit application and related documents are on file at the office listed before the application and available

for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

Persons with a disability that require an auxiliary aid, service or other accommodations to participate during the 30-day public comment period should contact the office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

## SAFE DRINKING WATER

### Applications Received Under the Pennsylvania Safe Drinking Water Act

*Northeast Region: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915*

**Application No. 4016507**, Public Water Supply.

Applicant	<b>Aqua Pennsylvania, Inc.</b> 1 Aqua Way White Haven, PA 18661
Municipality	Kingston Township
County	<b>Luzerne</b>

Responsible Official	Patrick R. Burke, P.E. Director of Operations— Northeastern, Northern & Central PA Aqua Pennsylvania, Inc. 204 E. Sunbury Street Shamokin, PA 17872
Type of Facility	PWS
Consulting Engineer	Jonathan W. Morris, P.E. GHD 326 East 2nd Street Bloomsburg, PA 17815
Application Received Date	May 6, 2016
Description of Action	This application proposes a replacement well station for treatment of existing Midway Manor Wells 1 and 2, including the addition of polyphosphate to Well 2 for sequestration of manganese and general corrosion control.

#### MINOR AMENDMENT

#### Applications Received Under the Pennsylvania Safe Drinking Water Act

*Northwest Region: Safe Drinking Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

**Application No. 2595502-MA4**, Minor Amendment.

Applicant	<b>Summit Township Water Authority Erie County</b>
Township or Borough	Summit Township
Responsible Official	John Troutman Authority Manager Summit Township Water Authority Erie County 1320 Townhall Road Erie, PA 16509
Type of Facility	Public Water Supply
Consulting Engineer	Timothy P. Wells, P.E. Hill Engineering, Inc. 8 Gibson Street North East, PA 16428
Application Received Date	May 9, 2016
Description of Action	Re-paint south water storage tank.

### LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

#### UNDER ACT 2, 1995 PREAMBLE 1

#### Acknowledgment of Notices of Intent to Remediate Submitted under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907)

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.302—6026.305) require the Department to pub-

lish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. A person intending to use the background standard, Statewide health standard, the site-specific standard or intend to remediate a site as a special industrial area shall file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of cleanup standards or receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the following site, proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified as follows. During this comment period, the municipality may request that the person identified as the remediator of the site develop and implement a public involvement plan. Requests to be involved and comments should be directed to the remediator of the site.

For further information concerning the content of a Notice of Intent to Remediate, contact the environmental cleanup program manager in the Department regional office listed before the notice. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following Notices of Intent to Remediate:

*Northeast Region: Eric Supey, Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915*

**Hospital Central Services, Inc.**, 2139 and 2171 28th Street SW, Allentown City, **Lehigh County**. Leidos Incorporated, 6310 Allentown Boulevard, Harrisburg, PA 17112, on behalf of Air Products and Chemicals, Inc., 7201 Hamilton Boulevard, Allentown, PA 18195, submitted a Notice of Intent to Remediate. Contamination is due to historical construction activities across from site. The proposed future use of the property will be non-residential. The Notice of Intent to Remediate was published in *The Morning Call* on April 22, 2016.



**Gesford K Well Pad 1**, 527 Carter Road, Dimock Township, **Susquehanna County**. Resource Environmental, 50 Maple Street, Montrose, PA 18801, on behalf of Cabot Oil & Gas Corporation, 2000 Park Lane, Suite 300, Pittsburgh, PA 15275, submitted a Notice of Intent to Remediate. Produced water release occurred that has impacted soils within an earthen berm secondary containment on the site. The proposed future use of the property will be residential. The Notice of Intent to Remediate was published in *The Susquehanna County Transcript, Inc.* on May 11, 2016.

*Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.*

**Elite Energy, LLC/Jean Smith HO Release**, 1300 Market Street, Columbia, PA 17512, Borough of Columbia, **Lancaster County**. Patriot Environmental Management, LLC, P.O. Box 629, Douglassville, PA 19518, on behalf of Elite Energy, LLC, P.O. Box 547, Columbia, PA 17512, and Jean Smith, 1300 Manor Street, Columbia, PA 17512 submitted a Notice of Intent to Remediate site soils and groundwater contaminated with No. 2 fuel oil. The site will be remediated to the Residential Statewide Health Standard and remain residential. The Notice of Intent to Remediate was published in the *LNP Media Group* on April 1, 2016.

*Southwest Region: Environmental Cleanup & Brownfield Development Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

**XTO Energy-Burton W. Townsend Well # 1 Site**, 1871 Shady Plain Road, Kiskiminetas Township, **Armstrong County**. Moody and Associates, Inc., 199 S Johnson Road, Building No. 2, Suite 101, Houston, PA 15342 on behalf of XTO Energy, 502 Keystone Drive, Warrendale, PA 15086 submitted a Final Report concerning the remediation of site soils contaminated with metals and chloride from a release at the site. The Final Report demonstrated attainment of the Residential Used Aquifer Statewide Health standard for soil for metals and was approved by the Department on May 12, 2016.

#### **OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE**

**Application received under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904) and regulations to operate a Solid Waste Processing or Disposal Area or Site.**

*Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Telephone 412-442-4000.*

**Permit No. 301291. Ashland Inc.**, 5200 Blazer Parkway, Dublin, OH 43017. Ashland-Neville Island Plant, 650 Neville Road, Pittsburgh, PA 15225. An application for the permit renewal of a residual waste incinerator in Neville Township, **Allegheny County** was received in the Regional Office on May 10, 2016.

### **AIR QUALITY**

#### **PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS**

The Department has developed an "integrated" plan approval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to

make the permitting process more efficient for the Department, the regulated community and the general public. This approach allows the owner or operator of a facility to submit permitting documents relevant to its application for all sources related to a facility or a proposed project, affords an opportunity for public input, and provides for a decision on the issuance of the necessary permits.

The Department received applications for Plan Approvals or Operating Permits from the following facilities.

Copies of the application, the Department's analysis, all pertinent documents used in the evaluation of the application and subsequently prepared proposed plan approvals/operating permits are available for public review during normal business hours at the appropriate Department Regional Office. Appointments for scheduling a review must be made by calling the appropriate Department Regional Office. The address and phone number of the Regional Office is listed before the application notices.

Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to the Department's Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments, protests and information. Each submission must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval/Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the permit.

A person wishing to request a hearing may do so during the 30-day comment period. A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted based on the information received. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper, the *Pennsylvania Bulletin* or by telephone, when the Department determines this type of notification is sufficient. Requests for a public hearing and any relevant information should be directed to the appropriate Department Regional Office.

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P.S. §§ 4001—4015), 25 Pa. Code Chapters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the regional office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

### PLAN APPROVALS

**Plan Approval Applications Received under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B that may have special public interest. These applications are in review and no decision on disposition has been reached.**

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6636*

**25-1053A: Alpont LLC—Erie** (Hammermill Drive and East Lake Road, Erie, PA 16511) for the proposed construction of a methanol/sodium methylate production facility including natural gas-fired reformer/boiler for methanol production, a reaction distillation tower to form sodium methylate, truck & railcar loading operations, and raw material & production storage tanks in Erie City, **Erie County**. This is a State Only facility.

**Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.**

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401*

*James A. Beach, New Source Review Chief—Telephone: 484-250-5920*

**09-0226A: Nosco ODSC, Inc.** (1504 Grundy Lane, Bristol, PA 19007) for the installation of a new HP Indigo 30000, seven-color digital printing press at an existing facility located in Bristol Township, **Bucks County**. The facility currently operates an existing digital printer that is identical to the proposed new printing press, which was installed under Plan Approval 09-0226. The primary pollutant of concern from the new digital printing press will be volatile organic compounds (VOC) and hazardous air pollutants (HAP) as a result of the printing process. The new press has a total potential to emit 10.94 tons per year of VOC. The plant will maintain a synthetic minor status by limiting its facility-wide VOC emissions to 24.9 tons per year. The plan approval will include monitoring, recordkeeping, and reporting requirements designed to address all applicable air quality requirements.

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790*

*Raymond Kempa, New Source Review Chief—Telephone: 570-826-2507*

**45-00005B: Sanofi Pasteur Inc.** (Discovery Drive, Swiftwater, PA 18370) for the installation and operation of a new influenza vaccine manufacturing process in Building 79 processing 660,000 eggs per day for their facility in Pocono Township, **Monroe County**.

Only minor air emissions result from the vaccine production operation. Volatile organic compounds (VOC) anticipated to be used in the vaccine operations are limited to isopropanol (IPA), which is used to wipe surfaces for the purpose of disinfection. Other related processes that may result in emissions include buffer reagent handling, egg waste inactivation, cooling towers and wastewater management. The egg waste residue from vaccine production will be dried and inactivated using seven dehydrators. Each unit is capable of handling 125,000 eggs/batch. Each dehydration unit is an automated, stand-alone unit that mixes and dehydrates the egg waste while also combusting process emissions in a thermal oxidation chamber. The cooling towers for cooling process water will be equipped with drift eliminators to minimize drift loss. The drift eliminators for the cooling towers will be designed to have a drift rate efficiency of 0.001%.

The dust generated by the buffering reagent handling equipment will be exhausted in to a bag house. An efficiency of 99% is anticipated by the company, which will yield an outlet concentration of less than 0.02 grain per dry standard cubic foot of particulate. The exhausts from the egg drying process will be treated in the thermal combustion chamber; a temperature increase up to 1,650°F minimum will be realized in the combustion chamber. The company anticipates a retention time of 1 second in the unit, which is expected to result in an overall control efficiency of 98% to yield an outlet VOC emission rate of 25 ppm.

Use of bag house to control particulate emissions and use of thermal oxidation chamber to control VOC & odor emissions would constitute BAT for the sources and pollutants.

The following emissions will occur from vaccine manufacturing operations when operating at the maximum rated capacity.

#### Source

	VOC	PM	PM <sub>10</sub>	PM <sub>2.5</sub>
Surface Disinfection	0.96 tpy	—	—	—
Reagent Powder Handling	—	2.6 tpy	2.6 tpy	2.6 tpy
Dehydrators	25 ppm, 6.0 tpy	0.1 tpy	0.5 tpy	0.5 tpy
Wastewater Treatment	1.2 tpy	—	—	—
Cooling Towers	—	—	0.2 tpy	0.2 tpy

#### Potential Emissions

The facility is located in an area designated as a marginal nonattainment area for O<sub>3</sub>. The project area is also included in the northeast Ozone Transport Region (OTR). The facility is currently a major source for NO<sub>x</sub> emissions only. The NA NSR PAL chosen by the company for the NO<sub>x</sub> emission will keep the proposed emission

increase from the facility below the NSR applicability triggering thresholds from the proposed new sources. Thus, the addition of sources will not subject the facility to the provisions of NA NSR for NO<sub>x</sub>. Emissions of SO<sub>2</sub>, CO, NO<sub>x</sub>, TSP, PM<sub>10</sub>, lead, asbestos, beryllium, mercury, vinyl chloride, fluorides, sulfuric acid mist, hydrogen

sulfide, total reduced sulfur, and reduced sulfur compounds associated with the proposed projects will be below the PSD significant emission rates as the company will maintained the emissions from the entire facility below the PSD PALs level and thus are not subject to PSD review.

Copies of the applications, DEP's analysis and other documents used in the evaluation of the applications are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701.

Any person(s) wishing to provide DEP with additional information which they believe should be considered prior to the issuance of this permit may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 45-00005B and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Raymond Kempa, P.E., Environmental Group Manager, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701, Phone 570-826-2511 within 30 days after publication date.

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702*

**06-03097A: Kore Mart, Limited** (7 Hill Drive, Hamburg, PA 19526) for authorization to restructure the duct work to vent the baghouse control devices for both the foundry sand coating and riser sleeve mixing operation to the outside of the building and to replace the existing scrubber controlling emissions from the cold box core manufacturing operation and vented indoors with a larger scrubber that will be vented to the outside of the building. The facility is located in Tilden Township, **Berks County**. The facility's potential emissions are estimated at 17.69 tons per year (tpy) of particulate matter, 0.55 tpy of NO<sub>x</sub>, 0.33 tpy of VOC, 0.47 tpy of CO, and 0.03 tpy of HAPs. The facility is a State Only facility. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on these findings, the Department proposes to issue a plan approval for the above proposal. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval will be incorporated into an Operating Permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**08-00017A: Northern Tier Solid Waste Authority** (P.O. Box 10, Burlington, PA 18814-0010) for the construction of additional landfill cells (waste disposal areas), up to 23 acres of lined waste disposal area known as the Western Expansion, at the Bradford County Landfill located in West Burlington Township, **Bradford County**.

The Department of Environmental Protection's (Department) review of the information submitted by the Northern Tier Solid Waste Authority indicates that the air contamination sources to be constructed will comply with all regulatory requirements, including monitoring, recordkeeping, and reporting requirements, and pertaining to air contamination sources and the emission of air contaminants including 40 CFR Part 60 Subpart WWW Sections 60.750—60.759, New Source Performance Standards (NSPS) for Municipal Solid Waste Landfills, the Mandatory Greenhouse Gas Reporting Rule, 40 CFR Part 98, 25 Pa. Code Chapter 123 and the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction. The landfill gas generated by the Western Expansion will be collected by a custom built landfill gas extraction, collection and control system consisting of a series of vertical wells and a series of horizontally-oriented gas collection piping. The air contaminant emissions from the new landfill cells shall be controlled by the existing LFG Specialties, Inc. model # PE7.535110 enclosed ground type flare or destroyed by the EPP Renewable landfill gas fired engine currently on site that operates pursuant to operating permit 08-00029. The enclosed flare shall achieve a 98% destruction efficiency for NMOCs or 20 ppmv dry basis corrected to 3% oxygen. There is no increase in potential emissions from the flare or the engine because neither is operating at maximum capacity. The potential CO, VOC and HAP emissions for the facility will increase by 0.3 ton per year, 1.2 ton per year and 0.8 ton per year, respectively.

The facility is a Title V facility. If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 08-00017A, the conditions established in the plan approval will be incorporated into Title V Operating Permit 08-00017 via an administrative amendment in accordance with 25 Pa. Code § 127.450 at a later date. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Dave Balog, New Source Review Chief—Telephone: 814-332-6328*

**20-302B: ITU AbsorbTech, Incorporated** (818 West Spring Street, Titusville, PA 16354) for the installation of a stripper/washer/extractor unit (SWE) and modifications to the wastewater treatment system at their facility in the City of Titusville, **Crawford County**.

Notice is hereby given pursuant to 25 Pa. Code §§ 127.44(b) and 127.424(b), that the Pennsylvania De-



partment of Environmental Protection (DEP) intends to issue Plan Approval 20-302B to ITU AbsorbTech, Inc. for the for the installation of a stripper/washer/extractor unit (SWE) and modifications to the wastewater treatment system at their facility in the City of Titusville, Crawford County. The Plan Approval will subsequently be incorporated into the facility's Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 20-302B is for the installation a 900 lb capacity stripper-washer-extractor, which will be used to remove waste solvent from and launder print towels. Based on the information provided by the applicant and DEP's own analysis, this source will have the potential to emit 6.54 tons of volatile organic compounds (VOC) and 1.12 ton of total hazardous air pollutants (HAP) per year. The Plan Approval also authorizes the installation of an additional EQ tank to the existing wastewater treatment system at the facility, which will increase potential emissions from the wastewater treatment system. The wastewater treatment system will have the potential to emit 11.52 tons of VOC and 5.57 tons of total HAP per year. Sitewide emissions will continue to be limited to 49 tons per year on a 12-month rolling basis.

The Plan Approval will contain additional monitoring, recordkeeping and work practice requirements designed to keep the facility operating within all applicable air quality requirements. Copies of the application, DEP's analysis, and other documents used in the evaluation are available for public inspection between the hours of 8 a.m. and 4 p.m. weekdays at the address shown below. To make an appointment, contact Records Management at 814-332-6340.

Anyone wishing to provide DEP with additional information they believe should be considered may submit the information to the address shown below. Comments must be received by the Department within 30 days of the last day of publication. Written comments should include the name, address, and telephone number of the person submitting comments, identification of the proposed Plan Approval; No. 20-302B and a concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted on the comments received during the public comment period. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a local newspaper of general circulation or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Christina S. Nagy, Regional Air Quality Manager, Department of Environmental Protection, Northwest Regional Office, 230 Chestnut St., Meadville, PA 16335, 814-332-6940.

#### PLAN APPROVAL

#### PUBLIC HEARINGS

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702*

**67-05083F: Calpine Mid-Merit, LLC** (500 Delaware Avenue, Suite 600, Wilmington, DE 19801) to receive comments for the upgrade (Upgrade) of the York Energy Center Block 2 Electricity Generation Project's nominally rated power output capacity from 760 MWs to 830 MWs at its existing electric power generation facility located in Peach Bottom Township, **York County**. The additional 70 MWs of nominal electricity will be generated from the steam cycle portion of the Block 2 combined cycle (CC) power plant. The Upgrade consists of the following changes to the sources addressed in P.A. No. 67-05083D (issued on June 15, 2015): Increase each combustion turbines (CT) heat recovery steam generator's (HRSG) natural gas (NG)-fired duct burner's maximum rated heat input capacity from 688 mmbTUs/hr to 820 mmbTUs/hr, and the ability to fire each CT's HRSG's duct burner while the CT is firing ultra-low sulfur diesel (ULSD) fuel oil (duct burner firing during CT NG firing is authorized by P.A. No. 67-05083D).

The York Energy Center Block 2 Electricity Generation Project consists of the following:

1. Two NG/ULSD fuel oil-fired CC combustion turbines (Source IDs 205 and 206) controlled by a selective catalytic reduction (SCR) system (NO<sub>x</sub> control) and an oxidation catalyst (CO and VOC control) in series. Dry low NO<sub>x</sub> technology will also be employed during NG fuel firing. Water injection technology (NO<sub>x</sub> control) will also be employed during ULSD fuel oil firing;
2. One NG-fired auxiliary boiler (Source ID 031);
3. One cooling tower (Source ID 501) controlled by a high efficiency mist eliminator (PM/PM<sub>10</sub>/PM<sub>2.5</sub> control);
4. NG piping components (Source ID 502);
5. Circuit breakers (Source ID 503); and
6. Five NG condensate storage tanks and one ULSD fuel oil storage tank (Source ID 504).

The maximum expected increases in facility emissions as a result of the upgrade are the following: 10.2 TPY CO; 20.9 TPY NO<sub>x</sub>; 4.8 TPY VOC; 12.9 TPY PM; 12.9 TPY PM<sub>10</sub>; 12.9 TPY PM<sub>2.5</sub>; 2.9 TPY SO<sub>x</sub>; 2.2 TPY H<sub>2</sub>SO<sub>4</sub>; 0.005 TPY lead; 0.3 TPY toluene; 0.1 TPY xylenes; 0.1 TPY ethyl benzene; 0.1 TPY acetaldehyde; 0.1 TPY propylene oxide; 0.1 TPY manganese; 0.7 TPY total HAPs; and 248,316 TPY CO<sub>2e</sub>. The facility is a Title V facility. The Department's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology (BAT) requirement of 25 Pa. Code §§ 127.1 and 127.12; 40 CFR Part 60, Subpart KKKK—Standards of Performance for Stationary Combustion Turbines (re: Source IDs 205 and 206); 40 CFR Part 60, Subpart TTTT—Standards of Performance for Greenhouse Gas Emissions for Electric Generating Units (Source IDs 205 and 206); 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units (re: Source ID 031); the Acid Rain Program requirements of 40 CFR Part 72; the Cross-State Air Pollution Rule (CSAPR) requirements of 40 CFR Part 97; the continuous emission monitoring systems (CEMS) requirements of 25 Pa. Code § 139.101 and 40 CFR Part 75; the Prevention of Significant Deterioration of Air Quality (PSD) regulations of 25 Pa. Code §§ 127.81—127.83, and 40 CFR 52.21; the Nonattainment New Source Review (NNSR) regulations of 25 Pa. Code §§ 127.201—127.218. Based on

these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specifications of the application for plan approval, the requirements established in the plan approval will be incorporated into the facility's Title V Operating Permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450(a)(5).

Copies of the plan approval application, DEP's analysis, proposed plan approval, and other relevant information are available for public review at DEP's Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110. An appointment to review the documents may be scheduled by contacting Ms. Brenda Esterline at 717.705.4732 between 8:00 a.m. and 3:30 p.m., Monday through Friday, except holidays. DEP will hold one public hearing on June 28, 2016 at DEP's Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110 from 9:00 a.m. until all scheduled oral comments are received. Those wishing to comment orally are requested to contact Mr. Viren Trivedi, New Source Review Chief, Southcentral Regional Office, at 717.705.4863, to schedule their testimony. Testimony must be pre-scheduled by no later than June 21, 2016. Oral testimony which has not been pre-scheduled will not be accepted at the hearing. Commenters are requested to provide two (2) written copies of their remarks at the time of the hearing. Oral testimony will be limited to five (5) minutes per person. Organizations are requested to designate a representative to present testimony on their behalf. Written comments may be submitted to the Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110 no later than July 8, 2016. Individuals who are in need of an accommodation for the hearing as provided for in the Americans with Disabilities Act should contact Mr. Trivedi at the number provided above or make accommodations through the Pennsylvania AT&T Relay Service at 1.800.654.5984 (TDD).

### OPERATING PERMITS

#### Intent to Issue Title V Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702*

**22-05047: Dura-Bond Pipe, LLC** (2716 South Front Street, Steelton, PA 17113) for operation of their pipe and structural shapes manufacturing facility in Steelton Borough, **Dauphin County**. Actual emissions from the facility in 2015 were estimated at 3.61 tons CO, 4.30 tons NO<sub>x</sub>, 0.65 ton PM<sub>10</sub>, 0.30 ton PM<sub>2.5</sub>, 0.03 ton SO<sub>x</sub>, 45.63 tons VOC, 16.08 tons of a single HAP (xylene), and 32.71 tons of combined HAPs. The Title V Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 63, Subpart M—National Emission Standards for Hazardous Air Pollutants: Surface Coating of Miscellaneous Metal Parts and Products.

#### Intent to Issue Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401*

*Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920*

**46-00140: Amatex Corporation**, (1032 Stanbridge Street, Norristown, PA 19404) for the renewal of a Non-Title V Facility, State-Only, Natural Minor Permit in Norristown Borough, **Montgomery County**. Amatex Corporation manufactures heat resistant fiberglass yarn and textiles. Sources of these particulate emissions include heat-treating units, drying ovens, and a texturizer. Amatex Corporation also operates an 8.5 MMBTU/hr boiler. The applicable requirements of 40 CFR 63, Subpart JJJJJ were incorporated into the permit for the boiler. Monitoring, record keeping and reporting requirements have been added to the permit to address applicable limitations.

**09-00198: Mount Materials, LLC** (100 Pipe Mill Road, Fairless Hills, PA 19030), for operation of two portable non-metallic mineral processing plants and the associated screeners, conveyors and diesel engines in Falls Township, **Bucks County**. This action is a renewal of a State-only Operating Permit and incorporation of four (4) General Permits into the Operating Permit. This facility is re-categorized as a State-only Synthetic Minor facility as its PTE NO<sub>x</sub> emissions exceed the threshold. The renewal contains monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790*

*Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2507*

**45-00015: Tarheel Quarry LLC**. (PO Box 900 Caughbaugh Road, Blakeslee, PA 18610) The Department intends to issue a State-Only Operating Permit renewal for operation of a quarry operation in Tobyhanna Township, **Monroe County**. The source includes crushing and screening operations. The plants emissions are controlled by a water spray system. The proposed operating permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

**48-00058: Effort Foundry Inc.** (PO Box 158, Bath, PA 18014-0158) The Department intends to issue a State-Only Operating Permit renewal for operation of a foundry operation in East Allen Township, **Northampton County**. The sources include charge handling, four (4) electric inductions furnaces, moulding and coremaking, pouring, casting cooling, paints, foundry chemicals, sand shakeout, three (3) storage tanks, a cooler, thermal reclaim, four (4) burning stations, and an emergency pump. The plants emissions are controlled by a series of baghouses. The proposed operating permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.



*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702*

**01-03020: Philips HADCO** (100 Craftway, Littlestown, PA 17340) to issue a State Only Operating Permit for their indoor and outdoor lighting products manufacturing facility located in Littlestown Borough, **Adams County**. The actual emissions from the facility in 2015 are estimated at 2.2 tons VOC; 0.7 ton NO<sub>x</sub>; 0.6 ton CO; 0.1 ton MEK; 0.1 ton toluene; 0.1 ton xylene; and 0.3 ton total HAPs. The Operating Permit will include emission limits and work practice standards along with testing, monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

**29-03001: JLG Equipment Services, Inc.** (1 JLG Drive, McConnellsburg, PA 17233-9502), to issue a state only operating permit renewal for the Success Dr. Plant in Ayr Township, **Fulton County**. The primary emissions from the facility are VOCs and PM. The facility's actual 2015 emissions were 8.2 tons of VOCs and 0.1 tpy of PM. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping, and reporting requirements to ensure the facility complies with the applicable air quality regulations.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Dave Balog, New Source Review Chief—Telephone: 814-332-6940*

**24-00152: Viking Resources, LLC** (1000 Commerce Drive, Pittsburgh, PA 15275) to issue the Natural Minor Operating Permit for their facility's primary emissions from the 99 HP Natural gas compressor engine, 1 MMSCF/day triethylene glycol dehydrator, 75,000 BTU/hr reboiler, 1,000 gallon produced water storage tank, and fugitives from tank truck unloading at the natural gas compressor station on Fire Town Road in Horton Township, **Elk County**. The permit contains the requirements of GP5-24-152B. The emissions from the facility are: NO<sub>x</sub>—13.42 TPY; VOC—2.01 TPY; CO—8.43 TPY; and, HAPs—0.07 TPY.

**25-00931: PA Department of Corrections—SCI at Albion** (10745 Route 18, Albion, PA 16475) to re-issue the Synthetic Minor Operating Permit for their facility's primary emissions from the five (5) boilers, two (2) emergency generator engines, a parts paint booth, and a parts cleaner at the facility in Albion Borough, **Erie County**.

**43-00316: Three Rivers Aggregates LLC, Mercer Plant** (1807 Shennango Road, New Gaillee, PA 16141) for a Natural Minor Permit to operate a sand and gravel plant in East Lackawannock Township, **Mercer County**. The emitting sources include an Aggregate processing plant and a 170 HP diesel generator engine to pump water from the pond. The diesel generator engine is subject to 40 CFR Part 63, Subpart ZZZZ. All applicable conditions of Subpart ZZZZ have been included in the source level of the permit. The facility provided the following potential emissions in the permit application: Particulate Matter (PM) 8.47 Tons per year (TPY); PM less than ten microns (PM<sub>10</sub>) 3.86 TPY; Oxides of Sulfur

(SO<sub>x</sub>) 0.00162 TPY; Carbon Monoxide (CO) 1.025 TPY; Oxides of Nitrogen (NO<sub>x</sub>) 2.28 TPY; and, Volatile Organic Compound (VOC) 0.34 TPY.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Contact: Edward Orris, P.E., Environmental Engineer Manager—Telephone: 412-442-4161*

**32-00303: Dominion Transmission, Inc.** (5000 Dominion Blvd., Glen Allen, VA 23060-3308). The Department intends to issue a State Only Operating Permit renewal for the Cherry Tree Compressor Station in Montgomery Township, **Indiana County**. Equipment at this facility includes one (1) 600 bhp natural gas-fired compressor engine, one (1) 860 bhp natural gas-fired compressor engine, one (1) triethylene glycol dehydration reboiler, one 4,200 gallon produced fluids storage tank, and several insignificant emission sources. Actual annual emissions from this facility for the 2015 calendar year were reported by the company as follows: 16.16 tons NO<sub>x</sub>, 16.84 tons VOCs, and 1.64 ton CO, 0.35 ton PM<sub>10</sub>, 0.35 ton PM<sub>2.5</sub>, 0.01 ton sulfur oxides, 2.46 tons HAPs, and 2,849.94 tons of carbon dioxide. The facility is subject to the applicable requirements of Title 25 Pa. Code Chapters 121—145. The compressor engines are subject to 40 CFR Part 63, Subpart ZZZZ, NESHAPs for Stationary Reciprocating Internal Combustion Engines. The proposed Operating Permit contains applicable emission limits, as well as testing, monitoring, recordkeeping, reporting and work practice.

**04-00718: Three Rivers Aggregates, LLC** (1288 Reese Road, Slippery Rock, PA 16057), for a facility-wide Natural Minor Operating Permit Modification, for the operation of a sand and gravel facility located in Darlington Township, **Beaver County**. The facility's air contamination sources consist of one (1) sand and gravel plant rated at 350 tph, one (1) Mitsubishi diesel-fired engine rated at 2,346 bhp emissions controlled by an oxidation catalyst, one (1) cone crusher rated at 225 bhp controlled by water sprays, screens, conveyors, and stackers. Particulate emissions from the crushers, screens, conveyors etc. are controlled by water spray system. Emissions from the facility are 3.0 tons CO, 21.0 tons NO<sub>x</sub>, 10.0 tons PM<sub>10</sub>, 24.0 tons PM, 2.0 tons VOC, and 1.0 ton SO<sub>2</sub> per year. The facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145 and the applicable requirements of 40 CFR Part 60 Subpart OOO (Standard Performance for Nonmetallic Mineral Processing Plants), 40 CFR Part 60 Subpart IIII (Standards of Performance for Stationary Compression Ignition Internal Combustion Engines), and 40 CFR, Part 63, Subpart ZZZZ (National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines). The permit includes emission limitations, and operational, monitoring, reporting, and recordkeeping requirements for the facility.

Three Rivers Aggregates, LLC's State Only Operating Permit modification application, the Department's Air Quality Review Memorandum, and the proposed Air Quality State Only Operating Permit for this project are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the State Only Operating Permit renewal application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed Air Quality State Only Operating



Permit for this project, a person may contact Phil Bouse at pbouse@pa.gov or 412.442.4000.

Any person may submit comments, requests for the Department to hold a public hearing, or protests to the operating permit or a proposed condition thereof, by filing such submissions in writing to the Department at the Southwest Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments.

All comments, requests for a public hearing, and protests to a proposed action, shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). Comments, requests for a public hearing, and protests must include the name, address and telephone number of the person filing the protest; identification of the proposed permit issuance being opposed (State Only Operating Permit 04-00718); and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

Comments, protests and requests for a public hearing should be directed to Jesse S. Parihar, Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. (jparihar@pa.gov, Fax 412.442.4194)

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); The Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.20a). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department. A copy of the application is available for inspection at the district mining office indicated before each application. Notices of requests for 401 Water Quality Certifications are included in individual application notices, as noted.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application and request for Section 401 water quality certification application may be submitted

by any person or any officer or head of any Federal, state or local government agency or authority to the Department at the address of the district mining office indicated before each application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

Written comments or objections regarding a mining permit application should contain the name, address and telephone number of persons submitting comments or objections, application number and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based.

A request for an informal conference or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 or § 86.34, must contain the name, address and telephone number of the requestor; the application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

When an NPDES number is listed, the mining activity permit application was accompanied by an application for an individual NPDES permit. A separate notice will be provided after the draft NPDES permit is prepared.

### *Coal Applications Received*

*California District Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100.*

**30831303 and NPDES No. PA0013511. Cumberland Coal Resources, LP**, (158 Portal Road, PO Box 1020, Waynesburg, PA 15370). To revise the permit for the Cumberland Mine in Whiteley and Center Townships, **Greene County** and related NPDES Permit for raw coal stockpile expansion. Surface Acres Proposed 7.47. No additional discharges. The application was considered administratively complete on May 16, 2016. Application received November 25, 2015.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900.*

**Permit No. 56960106 and NPDES No. PA0234192. Rosebud Mining Co.**, 301 Market Street, Kittanning, PA 16201, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Lincoln Township, **Somerset County** affecting 352.6 acres. Receiving streams: North Branch Quemahoning Creek and Horner Run classified for the following use: cold water fishes. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Quemahoning SWI. Application received: May 16, 2016.

*New Stanton District Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500.*

**65090102 and NPDES Permit No. PA0251640. Coal Loaders, Inc.** (210 East Main Street, Ligonier, PA 15658). Revision application for land use change from woodland to pastureland to an existing bituminous surface mine, located in Bell Township, **Westmoreland County**, affecting 184.6 acres. Receiving streams: unnamed tributaries to Wolford Run and Kiskiminetas River, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: May 2, 2016.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.*

**Permit No. 54100101R. Gale Mining Company,** (1441 Oak Road, Pottsville, PA 17901), renewal of an existing anthracite surface mine operation in Schuylkill Township, **Schuylkill County** affecting 204.5 acres, receiving streams: Schuylkill River and unnamed tributary

to Schuylkill River, classified for the following uses: cold water and migratory fishes. Application received: May 9, 2016.

*Noncoal Applications Received*

*Effluent Limits*—The following effluent limits will apply to NPDES permits issued in conjunction with a noncoal mining permit:

<i>Parameter</i>	<i>Table 2</i>		
	<i>30-day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Alkalinity exceeding acidity* pH*		greater than 6.0; less than 9.0	

\* The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applied to surface runoff resulting from a precipitation event of less than or equal to a 10-year 24-hour event. If coal will be extracted incidental to the extraction of noncoal minerals, at a minimum, the technology-based effluent limitations identified under coal applications will apply to discharges of wastewater to streams.

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.*

**08970302 and NPDES 0237868. Bishop Brothers Construction Company, Inc.** (P.O. Box 289, Ulster, PA 18850). Transfer from New Enterprise Stone & Lime Company, Inc. dba Eastern Industries, Inc. plus revision to change the post mining land use from cropland to unmanaged water impoundment and cropland to industrial/commercial lands to an existing noncoal surface mine located in Sheshequin Township, **Bradford County** affecting 181.39 acres. Receiving stream(s): Susquehanna River classified for the following use(s): WWF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: May 5, 2016.

*New Stanton District Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500.*

**2969BSM24 and NPDES Permit No. PA0252018. Potato Ridge LLC** (520 West Short Street, Lexington, KY 40507). Application for changing the treatment system to a Lime Slurry System for an existing mine drainage discharge, located in Harmar Township, **Allegheny County**, affecting 169.8 acres. Receiving stream: unnamed tributary to Laurel Run, classified for the following use: HQ-CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: May 12, 2016.

### MINING ACTIVITY NPDES DRAFT PERMITS

This notice provides information about applications for a new, amended or renewed NPDES permits associated with mining activity (coal or noncoal) permits. The applications concern industrial waste (mining) discharges to surface water and discharges of stormwater associated with mining activities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

The Department of Environmental Protection (Department) has prepared a draft NPDES permit and made a tentative determination to issue the NPDES permit in conjunction with the associated mining activity permit.

*Effluent Limits for Coal Mining Activities*

For coal mining activities, NPDES permits, when issued, will contain effluent limits that are the more stringent of technology-based (BAT) effluent limitations or Water Quality Based Effluent Limits (WQBEL).

The BAT limits for coal mining activities, as provided in 40 CFR Part 434 and 25 Pa. Code Chapters 87—90 are as follows:

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (Total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (Total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH*		greater than 6.0; less than 9.0	
Alkalinity greater than acidity*			

\* The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applies to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; mined areas backfilled and revegetated; and all other discharges and drainage (resulting from a precipitation event of greater than 1-year 24-hour to less than or equal to a 10-year 24-hour event) from coal refuse disposal piles. Similarly, modified BAT limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Exceptions to BAT effluent limits may be applicable in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

#### *Effluent Limits for Noncoal Mining Activities*

The limits for noncoal mining activities as provided in 25 Pa. Code Chapter 77 are pH 6 to 9 and other parameters the Department may require.

Discharges from noncoal mines located in some geologic settings (for example, in the coal fields) may require additional water quality based effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description specifies the parameters.

In addition to BAT or WQBEL limits, coal and noncoal NPDES permits establish effluent limitations in the form of implemented Best Management Practices (BMPs) identified in the associated Erosion and Sedimentation Plan, the Reclamation Plan and the NPDES permit application. These BMPs restrict the rates and quantities of associated pollutants from being discharged into surface waters in this Commonwealth.

More restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining that may occur are incorporated into an NPDES permit when necessary for compliance with water quality standards and antidegradation requirements (in accordance with 25 Pa. Code Chapters 91—96).

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 563-2112-115, Developing National Pollutant Discharge Elimination System (NPDES) Permits for Mining Activities. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

Discharge rates for surface mining activities are precipitation driven. Discharge rates for proposed discharges associated with underground mining are noted in the permit description.

Persons wishing to comment on an NPDES draft permit should submit a written statement to the Department at the address of the district mining office indicated before each draft permit within 30 days of this public notice. Comments received within the comment period will be considered in the final determinations regarding the NPDES permit applications. Comments must include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests or petitions for a public hearing on NPDES permit applications, as provided in 25 Pa. Code § 92a.82(d). The request or petition for a public hearing shall be filed within 30 days of this public notice and contain the name, address, telephone number and the interest of the party filing the request, and state the reasons why a hearing is warranted. A public hearing may be held if the Department considers the public interest significant. If a hearing is scheduled, a notice of the hearing on the NPDES permit application will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. When a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

#### *Noncoal NPDES Draft Permits*

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.*

**NPDES Permit No. PA0225584 on Surface Mining Permit No. 58150301. Pennsy Supply, Inc.,** (1001 Paxton Street, Harrisburg, PA 17105), new NPDES Permit for a sandstone, shale and bluestone quarry operation in Middletown and Forest Lake Townships, **Susquehanna County**, affecting 254.5 acres. Receiving stream: two unnamed tributaries to the Middle Branch Wyalusing Creek, classified for the following uses: cold water fishes and migratory fishes. Application received: May 18, 2015.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are BAT limits described above for noncoal mining activities.

The outfalls listed below discharge to two unnamed tributaries to the Middle Branch Wyalusing Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	Y	E&S
002	Y	Groundwater and Stormwater
003	Y	
004	Y	

## **FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401**

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the Commonwealth to certify that the involved projects will not violate the sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of

the FWPCA, the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment shall submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before an application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if



deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between 8 a.m. and 4 p.m. on working days at the office noted before the application.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

**Applications Received under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and Requests for Certification under section 401(a) of the FWPCA.**

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.*

**E21-448: Silver Spring Township**, 8 Flowers Drive, Mechanicsburg, PA 17050 in Silver Spring Township, **Cumberland County**, U.S. Army Corps of Engineers Baltimore District.

To place and maintain approximately 2,920 cubic yards of fill in the FEMA-delineated 100-year floodplain of Trindle Spring Run (CWF), impacting 1.58 acre of floodplain, for the purpose of realigning Mulberry Drive in order to eliminate a sharp bend, all in Silver Spring Township, Cumberland County (USGS Quad: Mechanicsburg, PA; Latitude: 40° 14' 0.1"; Longitude: -77° 0' 56.9"). The permit was issued on May 11, 2016.

**E50-257: Howe Township Municipal Authority**, 300 North 4th Street, Newport, PA 17074 in Howe Township and Newport Borough, **Perry County**, U.S. Army Corps of Engineers Baltimore District.

To construct and maintain 1) an 8 inch PVC sanitary sewer line underneath and across an Unnamed Tributary to the Juniata River (WWF, MF) (Latitude: 40° 29' 20.00"N; Longitude: 77° 6' 17.22"W), 2) an 8 inch PVC sanitary sewer line underneath and across an Unnamed Tributary to the Juniata River (WWF, MF) (Latitude: 40° 29' 18.96"N; Longitude: 77° 6' 18.94"W), 3) a 3 inch HDPE sanitary sewer line underneath and across an Unnamed Tributary to the Juniata River (WWF, MF) (Latitude: 40° 29' 7.02"N; Longitude: 77° 6' 30.94"W), 4) a 2 inch HDPE sanitary sewer line underneath and across an Unnamed Tributary to the Juniata River (WWF, MF) (Latitude: 40° 28' 54.8"N; Longitude: 77° 6' 35.73"W), 5) a 2 inch HDPE sanitary sewer line underneath and across an Unnamed Tributary to the Juniata River (WWF, MF) (Latitude: 40° 28' 41.81"N; Longitude: 77° 6' 36.42"W), 6) a 6 inch HDPE sanitary sewer line underneath and across an Unnamed Tributary to the Juniata River (WWF, MF) (Latitude: 40° 29' 22.87"N; Longitude: 77° 6' 32.4"W), 7) a 6 inch HDPE sanitary sewer line underneath and across an Unnamed Tributary to the Juniata River (WWF, MF) (Latitude: 40° 29' 22.0"N; Longitude: 77° 6' 17.22"W), 8) a 6 inch HDPE sanitary sewer line underneath and across the Juniata River (WWF, MF) (Latitude: 40° 28' 40.96"N; Longitude: 77° 7' 36.08"W), 9) a 10 inch PVC sanitary sewer line underneath and across an Unnamed Tributary to the Juniata River (WWF, MF)

(Latitude: 40° 28' 48.49"N; Longitude: 77° 7' 34.53"W), 10) a 10 inch PVC sanitary sewer line underneath and across an Unnamed Tributary to the Juniata River (WWF, MF) (Latitude: 40° 28' 48.04"N; Longitude: 77° 7' 25.03"W), 11) a 4-foot diameter manhole in the floodway of an Unnamed Tributary to the Juniata River (WWF, MF) (Latitude: 40° 29' 20.00"N; Longitude: 77° 6' 17.22"W), 12) a 4-foot diameter manhole in the floodway of an Unnamed Tributary to the Juniata River (WWF, MF) (Latitude: 40° 29' 20.00"N; Longitude: 77° 6' 17.22"W), and 13) place and maintain approximately 134 cubic yards of fill associated with a sewer pump station in the floodplain of the Juniata River (WWF, MF) (Latitude: 40° 28' 44.37"N; Longitude: 77° 7' 35.02"W) all for the purpose of installation of approximately 5,800 linear feet of 10-inch PVC gravity sanitary sewer, approximately 7,300 linear feet of 3-inch HDPE low pressure sewer, approximately 8,000 linear feet of 6-inch HDPE sanitary sewer force main, three pump stations, and connection to the Newport Borough Municipal Authority's Wastewater Treatment Plant. In total, 885 linear feet of stream will be permanently impacted. The permit was issued on May 9, 2016.

*Southwest Region: Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

**E56-383, Columbia Gas Transmission, LLC**, P.O. Box 1273 Charleston, WV 25325, Wellersburg Borough, **Somerset County**, Pittsburgh ACOE Pittsburgh.

The applicant is proposing to:

- 1.) Place and maintain 53' wide by 55' long articulating, grout-filled mattress, within and along the stream banks of North Branch Jennings Run (CWF-MF),
- 2.) Cut and fill activities within and along the aforementioned watercourse to install the mattress will result in a removal of 34 cubic yards of material from the stream channel,

For the purpose of re-establishing cover over an exposed 20" natural gas pipeline located near the intersection of Witt Hill (T842) and Main Street (Route 160) (Quadrangle: Cumberland, PA Latitude: 39° 43' 23.9"; Longitude: -78° 50' 48.89") in Wellersburg Borough, Somerset County. The project will cumulatively result in 50 linear feet of temporary impact and 94 linear feet of permanent impact to North Branch of Jennings Run (CWF-MF).

**E65-976, Plenary Walsh Keystone Partners**, 2000 Cliff Mine Road, Park West Two, 3rd Floor, Pittsburgh, PA 15275, Unity Township, **Westmoreland County**, Pittsburgh ACOE Pittsburgh.

The applicant is proposing to:

Replace and maintain an existing single span, steel I-beam bridge with a composite prestressed spread box beam bridge, with a span of 54' and an under clearance of 5' 3" over Ninemile Run (WWF) (aka Stream 1) and an Unnamed tributary to Ninemile Run (aka Stream 2),

For the purpose of replacing a structurally deficient bridge. The project is located near the intersection of S.R. 0982 and Macey Road (T-907) (Quadrangle: Latrobe; Latitude: 40° 15' 8.2"; Longitude: -79° 23' 25.5"), in Unity Township, Westmoreland County. The project will result in 183 linear feet of temporary impact and 71 linear feet of permanent impact to Ninemile Run (aka Stream 1) and the aforementioned UNT to Ninemile Run (aka Stream 2).

## STORAGE TANKS SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permit application has been received by the Department of Environmental Protection (Department) and is currently under review. Persons wishing to comment on the proposed permit are invited to submit a statement to the Bureau of Environmental Cleanup and Brownfields, Division of Storage Tanks, PO Box 8762, Harrisburg, PA 17105-8762, within 30 days from the date of this publication. Comments may also be submitted via email to [tanks@pa.gov](mailto:tanks@pa.gov). Comments received within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of the comment and the relevant facts upon which it based.

**The following applications have been received for Storage Tank Site-Specific Installation Permits under the authority of the Storage Tank Spill Prevention Act (35 P.S. §§ 6021.304, 6021.504, 6021.1101—6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C.**

<i>SSIP Application No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
16007	Alpont, LLC 2797 Freedland Road Hermitage, PA 16148 Attn: Lou Razzano	Erie	City of Erie	13 ASTs storing hazardous substances	3,951,000 gallons total

## ACTIONS

### THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

#### FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and NOIs for coverage under General Permits. This notice of final action is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.101) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or Amendment
Section III	WQM	Industrial, Sewage or Animal Wastes; Discharges to Groundwater
Section IV	NPDES	MS4 Individual Permit
Section V	NPDES	MS4 Permit Waiver
Section VI	NPDES	Individual Permit Stormwater Construction
Section VII	NPDES	NOI for Coverage under NPDES General Permits

Sections I—VI contain actions regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains notices for parties who have submitted NOIs for Coverage under General NPDES Permits. The approval for coverage under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions in each General Permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions in the respective permit. The permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should contact a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

**I. NPDES Renewal Permit Actions**

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Phone: 484.250.5970*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PAS120001 (Stormwater)	Darling Ingredients Inc. 4221 Alexandria Pike Cold Spring, KY 41076	Chester County Honey Brook Township	Unnamed Tributary West Branch Brandywine Creek (3-H)	Y
PA0024651 (Sewage)	Atglen Boro Sewer Authority PO Box 250 120 West Main Street Atglen, PA 19310	Chester County Atglen Borough	Valley Creek (7-K)	Y
PA0031887 (Sewage)	Green Hill MHC LLC PO Box 677 Morgantown, PA 19543	Marlborough Township Mongtomery County	Perkiomen Creek (3-E)	Y
PA0244058 (Sewage)	Bedminster Municipal Authority 432 Elephant Road Perkasie, PA 18944-4163	Bedminster Township Bucks County	Deep Run (2-D)	Y
PA0052728 (Sewage)	Turkey Hill Minit Market Inc. 257 Centerville Road Lancaster, PA 17603-4059	City of Coatesville Chester County	Unnamed Tributary West Branch Brandywine Creek (3-H)	Y

*Northeast Regional Office: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570.826.2511.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PAS112206 (Stormwater)	Prime Conduit, Inc. 635 East Lawn Road Nazareth, PA 18064	Northampton County Upper Nazareth Township	Unnamed Tributary to Bushkill Creek (01F)	Yes

*North Central Regional Office: Clean Water Program Manager, 208 W Third Street, Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.3636.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0228931 (Individual Sewage)	Kathy D. Weaver & Robert L. Martin SRSTP 2495 Valley View Road Bellefonte, PA 16823-8849	Centre County Benner Township	Unnamed Tributary of Buffalo Run (9-C)	Yes
PA0113433 (Sewage)	Fetterman SRSTP 2074 Old Reading Road Catawissa, PA 17820-8115	Columbia County Roaring Creek Township	Unnamed Tributary of Roaring Creek (5-E)	Yes

*Southwest Regional Office: Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Phone: 412.442.4000.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0203955 (Sewage)	84 Lumber Co. 1019 Rte 519 Bldg 5 Eighty Four, PA 15330	Washington County North Strabane Township	Little Chartiers Creek (20-F)	No

*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0025445 (Sewage)	Wampum Borough STP PO Box 65 Wampum, PA 16157-0065	Lawrence County Wampum Borough	Beaver River (20-B)	Yes

**II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Actions**

*Southeast Region: Water Management Program Manager, 2 East Main Street, Norristown, PA 19401*

**NPDES Permit No. PA0244589**, Sewage, Amendment 2, **Linh Quang Buddhist Temple**, 821 Ridge Road, Telford, PA 18969.

This proposed facility is located in Salford Township, **Montgomery County**.

Description of Action/Activity: Issuance of an NPDES Permit Amendment for an existing discharge of treated sewage.



**NPDES Permit No. PA0244708**, Industrial Stormwater, **Kinder Morgan Bulk Terminals, Inc.**, 1000 South Port Road, Fairless Hills, PA 19030.

This proposed facility is located in Falls Township, **Bucks County**.

Description of Action/Activity: A new NPDES permit for discharge of treated Stormwater.

**NPDES Permit No. PA0058939**, Stormwater, **Eureka Stone Quarry Inc.**, 851 County Line Road, Huntingdon Valley, PA 19006.

This proposed facility is located in Schuylkill Township, **Chester County**.

Description of Action/Activity: Renewal of an NPDES permit for an existing discharge stormwater from a Redi-Mix Concrete Batch Plant property located on Route 23.

*Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

**NPDES Permit No. PA0103446**, Industrial, SIC Code 4953, **Advanced Disposal Service Greentree Landfill LLC**, 635 Toby Road, Kersey, PA 15846-1033.

This existing facility is located in Fox Township, **Elk County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit Amendment for an existing discharge of treated Industrial Waste.

**NPDES Permit No. PA0264351**, Sewage, SIC Code 4952, 8800, **Timothy Lester**, 275 Hazeltine Avenue, Jamestown, NY 14701.

This proposed facility is located in Farmington Township, **Warren County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated Sewage.

**NPDES Permit No. PA0264415**, Sewage, SIC Code 4952, 8800, **Jeffrey & Mary Cusick**, 1049 Hartford Road, Sharpsville, PA 16150.

This proposed facility is located in South Pymatuning Township, **Mercer County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated Sewage.

**NPDES Permit No. PA0264261**, Sewage, SIC Code 4952, 8800, **Robert K McClain**, 1310 Thompson Hill Road, Russell, PA 16345.

This proposed facility is located in Farmington Township, **Warren County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated Sewage.

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### III. WQM Industrial Waste and Sewerage Actions under The Clean Streams Law

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*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, 484.250.5900*

**WQM Permit No. 1516403**, Sewage, **Oxford Borough Area Sewer Authority**, P.O. Box 380, Oxford, PA 19363-0380.

This proposed facility is located in Oxford Borough, **Chester County**.

Description of Action/Activity: Construction and operation of a new sanitary sewer extension.

**WQM Permit No. 1516401**, Sewage, **Tredyffrin Township Municipal Authority**, 1100 Duportail Road, Berwyn, PA 19312.

This proposed facility is located in Tredyffrin Township, **Chester County**.

Description of Action/Activity: Upgrades to the Church Road Pump Station.

**WQM Permit No. 1500416**, Sewage, Renewal, **East Marlborough Township**, 721 Unionville Road, Kennett Square, PA 19348.

This proposed facility is located East Marlborough Township, **Chester County**.

Description of Action/Activity: Permit renewal for continued operation of the Unionville Regional Sewage Treatment Plant.

**WQM Permit No. 1516402**, Sewage, **Tredyffrin Township Municipal Authority**, 1100 Duportail Road, Berwyn, PA 19312.

This proposed facility is located in Tredyffrin Township, **Chester County**.

Description of Action/Activity: Modifications to the interceptor to increase peak daily capacity to 373,577 gallons per day.

*Southwest Regional Office: Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Phone: 412.442.4000.*

**WQM Permit No. 6573407 A-6**, Sewage, SIC Code 4952, **Latrobe Municipal Authority Westmoreland County**, PO Box 88, Latrobe, PA 15650-0088.

This existing facility is located in Latrobe Borough, **Westmoreland County**.

Description of Proposed Action/Activity: Construction of 235 lf of 21" diameter sanitary sewer and replacement of a tide gate.

*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

**WQM Permit No. WQG01251601**, Sewage, **Sisters Of Mercy Of The Americas New York Pennsylvania Pacific West Comm Inc.**, 625 Abbott Road, Buffalo, NY 14220.

This proposed facility is located in North East Township, **Erie County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

**WQM Permit No. 6216401**, Sewage, **Timothy Lester**, 275 Hazeltine Avenue, Jamestown, NY 14701.

This proposed facility is located in Farmington Township, **Warren County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

**WQM Permit No. 4316401**, Sewage, **Jeffery & Mary Cusick**, 1049 Hartford Road, Sharpsville, PA 16150.

This proposed facility is located in South Pymatuning Township, **Mercer County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

**WQM Permit No. 6215410**, Sewage, **Robert K McClain**, 1310 Thompson Hill Road, Russell, PA 16345.

This proposed facility is located in Farmington Township, **Warren County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

#### **VI. NPDES Discharges of Stormwater Associated with Construction Activities Individual Permit Actions**

*Southeast Region: Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5160.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAI011515031	Vernon Weaver 101 Hedge Road Elverson, PA 19520	Chester	West Nantmeal Township	POI-A Unnamed Tributary to Marsh Creek HQ-TSF
PAI010911003R	USS Real Estate One Ben Fairless Drive Fairless Hills, PA 19030	Bucks	Falls Township	Delaware River WWF-MF
PAI012316002-1A	Monroe Energy, LLC 4101 Post Road Trainer, PA 19061	Delaware	Trainer Borough Marcus Hook Borough	Stoney Creek WWF-MF Marcus Hook Creek WWF-MF

*Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAI023915026	Richard C. Boorse 4544 Jasmine Drive Center Valley, PA 18034	Lehigh	Upper Saucon Township	UNT to Saucon Creek (CWF, MF), EV Wetlands

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Nathan Crawford, Section Chief, Telephone 717.705.4802.*

<i>Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAI033115001	Petersburg Borough Sewer Authority 316 King Street Petersburg, PA 16669	Huntingdon	Petersburg Borough and Logan Township	Juniata River (WWF, MF) Shaver Creek (HQ-CWF, MF)

*Southwest Region: Waterways and Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAI056514009	James Tobin 322 Unity Plaza Latrobe, PA 15650	Westmoreland County	Municipality of Murrysville	Haymaker Run (HQ-CWF)

#### **VII. Approvals to Use NPDES and/or Other General Permits**

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

**List of NPDES and/or Other General Permit Types**

PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges from Small Flow Treatment Facilities
PAG-5	General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines
PAG-11	General Permit for Discharges from Aquatic Animal Production Facilities
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges from the Application of Pesticides

*General Permit Type—PAG-02*

*Southeast Office, Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5160.*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Warminster Township Bucks County	PAG02000906083R(1)	Mack Roedel Custom Builders, LLC 5910 Stover Mill Road Doylestown, PA 18902	Jericho Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Richland Township Bucks County	PAG02000915033(1)	Prospect Acquisitions, L.P. 404 Sumneytown Pike Suite 200 North Wales, PA 19454	Tohickon Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
New Britain Township Bucks County	PAG02000915059(1)	Colebrook Properties 404 Sumneytown Pike Suite 200 North Wales, PA 19454	West Branch Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Montgomery Township Montgomery County	PAG02004613073(2)	Somerville Montgomery LP 810 Seventh Avenue 10th Floor New York, NY 10019	Unnamed Tributary to West Branch Neshaminy Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Merion Township Montgomery County	PAG02004615104	Mirabella Investment Properties LP 1595 Paoli Pike Suite 201 West Chester, PA 19380	Trout Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Providence Township Montgomery County	PAG02004616004	HTC Associates LLC 1741 Valley Forge Road Collegeville, PA 19490	Unnamed Tributary to Perkiomen Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

*Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915*

**Facility Location:**

<b>Municipality &amp; County</b>	<b>Permit No.</b>	<b>Applicant Name &amp; Address</b>	<b>Receiving Water/Use</b>	<b>Contact Office &amp; Phone No.</b>
Lehighton Borough Carbon County	PAG02001316002	Jim Thorpe River Sports, Inc. 1 Adventure Drive Jim Thorpe, PA 18229	Lehigh River (TSF, MF)	Carbon County Conservation District 610-377-4894

*Southwest Region: Regional Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**Facility Location and Municipality**

<b>Municipality</b>	<b>Permit No.</b>	<b>Applicant Name and Address</b>	<b>Receiving Water/Use</b>	<b>Contact Office and Phone No.</b>
Chartiers Township	PAG02006315052	Columbia Gas of Pennsylvania 2021 West State Street New Castle, PA 16101	Brush Run (WWF)	Washington County Conservation District 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098

*General Permit Type—PAG-4*

*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

**Facility Location:**

<b>Municipality &amp; County</b>	<b>Permit No.</b>	<b>Applicant Name &amp; Address</b>	<b>Receiving Water/Use</b>	<b>Contact Office &amp; Phone No.</b>
North East Township Erie County	PAG041201	Sisters of Mercy of the Americas New York Pennsylvania Pacific West Comm Inc. 625 Abbott Road Buffalo, NY 14220	Unnamed Stream—15-A	DEP North West Regional Office Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814.332.6942

*Southcentral Region: Clean Water Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone: 717-705-4707.*

*General Permit Type—PAG-8*

<b>Facility Location &amp; County/Municipality</b>	<b>Permit No.</b>	<b>Applicant Name &amp; Address</b>	<b>Site Name &amp; Location</b>	<b>Contact Office &amp; Phone No.</b>
Jay Samuel Fisher Farm 223 Enola Road Newburg, PA 17240	PAG08	Old Line Environmental, Inc. 33 Stahl Point Road Building 6A Curtis Bay, MD 21226	Jay Samuel Fisher Farm 223 Enola Road Newburg, PA 17240	DEP—SCRO—CW 909 Elmerton Ave Harrisburg, PA 17110-8200 717-705-4707
Hopewell Township Cumberland County			Hopewell Township Cumberland County	

## STATE CONSERVATION COMMISSION

### NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.



For individuals who wish to challenge actions, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary of the Board at (717) 787-3483 for more information.

#### NUTRIENT MANAGEMENT PLAN PUBLIC NOTICE SPREADSHEET—ACTIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEUs</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
L&T Pullets 80 Creek Road East Berlin, PA 17316	York	7	161.84	Poultry	NA	Approved
Star Rock Dairy, Inc. Star Rock Farms, LLC 13845 Ted Wallace Road Brogue, PA 17309	York	74	2,380.75	Steers/ Heifers	NA	Approved
Belview Valley Farms, LLC 458 Gemmill Road Delta, PA 17314	York	548	632.28	Swine	NA	Approved

#### CAFO NMP PUBLIC NOTICE SPREADSHEET—ACTIONS (Approval/Disapproval)

<i>Agricultural Operation (Name and Address)</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units (AEUs)</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproval</i>
Cotner Farms, Inc. 127 Rushtown Road Danville, PA 17821	Northumberland	1,590	1,774.22	Layer Chicken Operation	NA	Approved

### PUBLIC WATER SUPPLY PERMITS

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this document to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

### SAFE DRINKING WATER

#### Actions taken under the Pennsylvania Safe Drinking Water Act

*Southeast Region: Water Supply Management Program Manager, 2 East Main Street, Norristown, PA 19401*

**Operations Permit # 1516504** issued to: **Car Sense Chester Springs**, 21 Potstown Pike, Chester Springs, PA 19425, [(PWSID)] Upper Uwchlan Township, **Chester County** on May 19, 2016 for the operation of Chemical Feed Systems for Orthophosphate and Sodium Carbonate at Well 1, entry Point 101 facilities approved under construction permit # 1516504.

**Operations Permit # 1515537** issued to: **Aqua Pennsylvania, Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010, [(PWSID)] Schuylkill Township, **Chester County** on May 19, 2016 for the operation of additional Ammonia and Chlorine Feed Points at the Pickering East Water Treatment Plant facilities approved under construction permit # 1515537.

**Operations Permit # 0916505** issued to: **North Wales Water Authority**, 200 West Walnut Street, P.O. Box 1339, North Wales, PA 19445-0339, [(PWSID)] Doylestown Township, **Bucks County** on May 23, 2016.

**Operations Permit # 4613511** issued to: **Aqua Pennsylvania, Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010, [(PWSID)] Various Locations, **Montgomery and Delaware Counties** on May 23, 2016 for the operation of Ammonia Feed Equipment at Primos, Netherwood, Mitchell, Oakmont, Gladwyne, Hillside, and Willow Grove Tank Locations facilities approved under construction permit # 4613511.



*Northeast Region: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915*

**Permit No. 2580015, Operation Permit, Public Water Supply.**

Applicant	<b>Lazy Brook Mobile Home Park</b> 109 Lincoln Avenue Montrose, PA 18801
Municipality	Liberty Township
County	<b>Susquehanna</b>
Type of Facility	PWS
Consulting Engineer	Eric S. Lundy, P.E. Nittany Engineering & Associates, LLC 2836 Earlstown Road, Suite 1 Centre Hall, PA 16828
Permit to Operate Issued	May 5, 2016

**Permit No. 2409002, Operation Permit, Public Water Supply.**

Applicant	<b>Pennsylvania American Water Company</b> 800 West Hershey Park Drive Hershey, PA 17033
Municipality	Jackson Township
County	<b>Luzerne</b>
Type of Facility	PWS
Consulting Engineer	David M. Swisher, P.E. Herbert, Rowland & Grubic, Inc. 369 East Park Drive Harrisburg, PA 17111
Permit to Operate Issued	May 12, 2016

**Permit No. 3390024, Operation Permit, Public Water Supply.**

Applicant	<b>City of Allentown</b> 641 S. 10th Street, 3rd Floor Allentown, PA 18103
Municipality	Allentown City
County	<b>Lehigh</b>
Type of Facility	PWS
Consulting Engineer	Jason G. Saylor, P.E. Utility Service Company, Inc. 1230 Peachtree St. NE Suite 1100 Atlanta, GA 30309
Permit to Operate Issued	May 23, 2016

*Northwest Region: Safe Drinking Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

**Transfer of Operation Permit** issued to **Tri-Star Holdings, LLC, PWSID No. 6250084**, Greene Township, **Erie County** on May 17, 2016. Public Water Supply Permit No. 2506501-T1 for the operation of the Woodhaven Mobile Home Park water system is issued in response to the request to transfer the Public Water Supply Permit from Shane & Judy Kosterman to Tri-Star Holdings, LLC received on April 4, 2016. This permit

action consolidates and transfers Permit Nos. 2506501, 2595504-MA2, 2595504-MA1, 2595504, and a portion of Permit No. 2586504.

**Transfer of Operation Permit** issued to **Tri-Star Holdings, LLC, PWSID No. 6610009**, Frenchcreek Township, **Venango County** on May 17, 2016. Public Water Supply Permit No. 6106502-T1 for the operation of the Bucholz Mobile Home Park water system is issued in response to the request to transfer the Public Water Supply Permit from Patrick & Jacqueline Bucholz d/b/a Bucholz Mobile Home Park to Tri-Star Holdings, LLC received on April 6, 2016. This permit action consolidates and transfers Permit Nos. 6106502 and 6106502-MA1.

#### SEWAGE FACILITIES ACT PLAN APPROVAL

##### Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act (35 P.S. § 750.5)

*Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110*

##### Plan Location:

Borough or Township	Borough or Township Address	County
Jackson Township	439 Roths Church Road Spring Grove, PA 17362	York

**Plan Description:** The approved plan (F2-67931-ACT) provides for the termination of the existing pretreatment plant discharge to P.H. Glatfelter, and the construction of a new outfall line with stream discharge and future upgrade of the existing plant from 0.6 MGD to 0.8 MGD to treat current and future flow from the Township and potential future flow from West Manchester Township in York County. The plan also provides for public sewer extensions to Commerce Drive, South Grant Road and Lincoln Highway by 2020. In addition, the Township will submit to DEP a special study for the South Lake Road area by May 1, 2017. The Township will require preliminary hydrogeological studies for new subdivisions in designated areas with high nitrate levels, and initiate a Sewer System Evaluation Survey to identify and remove excess infiltration/inflow sources in the existing public sewer system tributary to the Sprengle Road, Sunnyside Road, and Influent Pump Stations. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority, as appropriate.

#### SEWAGE FACILITIES ACT PLAN DISAPPROVAL

##### Plan Disapprovals Under the Pennsylvania Sewage Facilities Act

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. 717-705-4707.*

##### Plan Location:

Borough or Township	Borough or Township Address	County
Jackson Township	439 Roths Church Road Spring Grove, PA 17362	York

**Plan Description:** The approved plan (F2-67931-ACT) provides for the termination of the existing pretreatment plant discharge to P.H. Glatfelter, and the construction of

a new outfall line with stream discharge and future upgrade of the existing plant from 0.6 MGD to 0.8 MGD to treat current and future flow from the Township and potential future flow from West Manchester Township in York County. The plan also provides for public sewer extensions to Commerce Drive, South Grant Road and Lincoln Highway by 2020. In addition, the Township will submit to DEP a special study for the South Lake Road area by May 1, 2017. The Township will require preliminary hydrogeological studies for new subdivisions in designated areas with high nitrate levels, and initiate a Sewer System Evaluation Survey to identify and remove excess infiltration/inflow sources in the existing public sewer system tributary to the Sprengle Road, Sunnyside Road, and Inflow Pump Stations. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority, as appropriate.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 2

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**The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).**

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Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department regional office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

*Northeast Region: Eric Supey, Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915*

**William Lutz Property**, 514 South Sterling Road, Dreher Township and Greene Township, **Wayne and Pike County**. Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382, on behalf of William Lutz, 514 South Sterling Road, South Sterling, PA 18460, submitted a Final Report concerning remediation of site soils contaminated with Benzene, Ethylbenzene, MTBE, Isopropylbenzene, Naphtanlene, 1,3,5-TMB, 1,2,4-TMB, Toluene. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Gesford K Well Pad 1**, 527 Carter Road, Dimock Township, **Susquehanna County**. Resource Environmental, 50 Maple Street, Montrose, PA 18801, on behalf of Cabot Oil & Gas Corporation, 2000 Park Lane, Suite 300, Pittsburgh, PA 15275, submitted a Final Report concerning remediation of site soils contaminated with aluminum, barium, boron, iron, lithium, manganese, selenium, strontium, vanadium, zinc, and chloride. The report is intended to document remediation of the site to meet the Statewide Health and Background Standards.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 3

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**The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).**

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Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environ-

mental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

*Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.*

**Marstellar Oil Company/Ryan Glenn Property**, 3510 North 3rd Street, Harrisburg, PA 17110, Susquehanna Township, **Dauphin County**. United Environmental Services, Inc., 86 Hillside Drive, Drums, PA 18222, on behalf of Ryan Glenn, 3510 North 3rd Street, Harrisburg, PA 17110; Marstellar Oil Company, 2011 State Road, Duncannon, PA 17020; and Rapid Response, 14 Brick Kiln Court, Northampton, PA 18067, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on May 18, 2016.

*Southeast Regional Office: Regional Manager, Environmental Cleanup and Brownfields, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5960. Charline Bass 484-250-5787*

**Harper Residence**, 27 Boston Ivy Road, Bristol Township, **Bucks County**. Richard D. Trimpi, Trimpi Associates Inc., 1635 Old Plains Road, PA 18073, Ty Gawlik, State Farm Insurance Company, P.O. Box 106169, Atlantic, GA 30348-6169 on behalf of Frank Harper, Jr., 27 Boston Ivy Road, Levittown, PA 19057 has submitted a Final Report concerning the remediation of site soil contaminated with petroleum. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on May 9, 2016.

**McCarty Residence**, 1135 Upper State Road, Warrington Township, **Bucks County**. Staci Cottone, J&J Environmental, P.O. Box 370, Blue Bell, PA 19422 on behalf of Dane McCarty, 1135 Upper State Road, Chalfont, PA 18914 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on May 10, 2016. PF808953.

**DeSimone Residence**, 990 Deerfield Lane, Kennett Township, **Chester County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Andrea Glutch State Farm Insurance, P.O. Box 106169 on behalf of David and Karla DeSimone, 990 Deerfield Lane, Kennett Square, PA 19438-2508 has submitted a Final Report concerning the remediation of site soil contaminated with heating oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on May 11, 2016. PF809894.

**7165 Keystone Road**, 7165 Keystone Road, City of Philadelphia, **Philadelphia County**. Christopher Thoeny, Environmental Alliance Inc., 5341 Limestone Road, Wilmington, DE 19808 on behalf of William Liss, Keystone Lofts Associates, LP, P.O. Box 769, Gladwyne, PA 19035 has submitted a Remedial Investigation/Final Report concerning the remediation of site soil contaminated with toluene, 1, 1-DCE. The Remedial Investigation/Final report and was approved by the Department on May 11, 2016. PF619329.

**Extra Space Storage**, 4433 Wayne Avenue, City of Philadelphia, **Philadelphia County**. Richard J. Tobia, The Vertex Companies, Inc., 3322 Route 22 West, Suite 907, Branchburg, NJ 08876, Joseph J.H. C. Dultz, The Vertex Companies, Inc., 3322 Route 22 West, Suite 907, Branchburg, NJ 08876 on behalf of Gwyn Goodson McNeal, Extra Space Storage, 2795 East Cottonwood Parkway, # 400, Salt Lake City, Utah 84121 has submitted a Final Report concerning the remediation of site soil contaminated with soil and groundwater. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on May 11, 2016. PF750470.

**Keenan Valley View Inn/Green Wood Charter School**, 480 Domino Lane, City of Philadelphia, **Philadelphia County**. Toby Kessler, P.G., Gilmore & Associates, Inc., 65 East Butler Avenue, New Britain, PA 18901 on behalf of Jean Wallace, Green Woods Charter School, 468 Domino Lane, Philadelphia, PA 19128 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with benzo (a) pyrene, arsenic and lead. The Final report demonstrated attainment of the Site Specific Standard and was approved by the Department on May 4, 2016. PF750857.

**Schultz Residence**, 61 East Pumping Station Road, Richland Township, **Bucks County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains, Pennsburg, PA 18073, Kyle Rourke, State Farm Insurance, P.O. Box 106169, Atlantic, GA 30348-6169 on behalf of Allen Schultz, 61 East Pumping Station Road, Quakertown, PA 18951 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on May 3, 2016. PF779941.

**Forster Residence**, 70 South West Street, Doylestown Borough, **Bucks County**. Staci Cottone, J&J Environmental, P.O. Box 370, Blue Bell, PA 19422 on behalf of Terrance Forster, 70 South West Street, Doylestown, PA 19044 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health and was approved by the Department on May 5, 2016. PF808545.

**Russell Residence**, 11 Quaker Hill Road, Middletown Township, **Bucks County**. Andrew Markoski, Patriot Environmental Management, LLC, 21 Unionville Road, P.O. Box 629, Douglasville, PA 19518, Dough Mason, Barney Fuel, Inc., 424 West Lincoln, Highway, Suite 201, Langhorne, PA 19047 on behalf of Christopher Russell, 11 Quaker Hill Road, Levittown, PA 19054 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final Report was withdrawn by the request of Patriot Environmental on May 10, 2016. PF782784.



**Flamer Residence**, 533 East Chestnut Street, City of Coatesville, **Chester County**. Andrew Markoski, Patriot Environmental Management, LLC, 21 Unionville Road, P.O. Box 629, Douglassville, PA 19518, Gregory Woerth, Whitelock and Woerth, Inc., 1220 Georgetown Road, Christiana, PA 17509 on behalf of Darryl Faltner, 583 East Chestnut Street, Coatesville, PA 19320 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel. The Final Report was withdrawn by the request of Patriot Environmental on May 10, 2016. PF803437.

**Overbrook Plaza**, 5610 Lancaster Avenue, City of Philadelphia, **Philadelphia County**. Vincent Pappalardo, Eikon Planning and Design, LLC, 221 High Street, Hackettstown, NJ 07840 on behalf of Jack Fredler, 5610 Associates, LLC, 2076 Flatbush Avenue, Marine Park, NY has submitted a Baseline Environmental Report concerning the remediation of site soil and groundwater contaminated with heating oil, pah and vocs. The Baseline Environmental Report was disapproved by the Department on May 5, 2016. PF619631.

**Interport Philadelphia LP Property**, 7600 Holstein Avenue & 601 Essington Avenue, City of Philadelphia, **Philadelphia County**. Steve Kirschner, Advance GeoServices Corporation, 1055 Andrew Drive, Suite A, West Chester, PA 19380, Dan Wright, Advance GeoServices Corporation, 1055 Andrew Drive, Suite A, West Chester, PA 19380 on behalf of Clay Kenmore, Interport Philadelphia, LP, 1140 Strange Line Road, Lenexa, Kansas 66215 has submitted a Cleanup Plan and Remedial Investigation Report concerning the remediation of site soil contaminated with lead arsenic. The Cleanup Plan and Remedial Investigation Report were approved by the Department on May 3, 2016. PF806458.

**459, West Street Road Property**, 459 West Street Road, West Marlborough Township, **Chester County**. Patrick Crawford, PG, Crawford Environmental Services, LLC, 20 Cardinal Drive, Birdsboro, PA 19508 on behalf of Annett Mills, 459 West Street Road, Kennett Square, PA 19348 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 28, 2016. PF806168.

**PECO Wyncote MGP**, Glenside Avenue and Webster Avenue, Cheltenham Township, **Montgomery County**. Matthias Ohr, AEEO, 625 West Ridge Pike E-100, Conshohocken, PA 19428, Pete Farrand, PECO Energy Company, 2301 Market Street, Philadelphia, PA 19101 on behalf of Eric Gaul, 165 Township Line, LP, by Pitcairn Company, General Partner, 165 Township Line Road, Suite 3000, Jenkintown, PA 19046 has submitted a Final Report concerning the remediation of site groundwater contaminated with benzene, naphthalene, and pahs. The Final report did not demonstrate attainment of the Site Specific Standard and was disapproved by the Department on April 26, 2016. PF653753.

**University of Pennsylvania**, 4258-60 Chestnut Street, City of Philadelphia, Philadelphia, **Montgomery County**. Bill Schmidt, Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104-0591 on behalf of Kyle Rosato, University of Pennsylvania, 3160 Chestnut Street, Suite 400, Philadelphia, PA 19104 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with heating oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 26, 2016. PF619463.

## HAZARDOUS WASTE TRANSPORTER LICENSE

### Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003) and regulations to transport hazardous waste.

*Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, PO Box 69170, Harrisburg, PA 17106-9170*

#### *Hazardous Waste Transporter License Reissued*

**Stericycle Specialty Waste Solutions, Inc.**, 2337 North Penn Road, Hatfield, PA 19440. License No. PA-AH 0770. Effective May 17, 2016.

**U.S. Industrial Technologies, Inc.**, 12000 Globe Street, Livonia, MI 48150. License No. PA-AH 0747. Effective May 17, 2016.

**West Central Environmental Corp.**, PO Box 83, Rensselaer, NY 12144. License No. PA-AH 0422. Effective May 18, 2016.

#### *Renewal Applications Received*

**South Park Motor Lines, Inc.**, 9850 Havana Street, Henderson, CO 80640. License No. PA-AH 0755. Effective May 23, 2016.

**Stericycle Specialty Waste Solutions, Inc.**, 2337 North Penn Road, Hatfield, PA 19440. License No. PA-AH 0770. Effective May 17, 2016.

**West Central Environmental Corp.**, PO Box 83, Rensselaer, NY 12144-0083. License No. PA-AH 0422. Effective May 17, 2016.

## AIR QUALITY

### General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401. James Beach, New Source Review Chief—Telephone: 484-250-5920*

**GP2-23-0233: Sunoco Partners Marketing & Term Inc** (7 Commerce Drive, Aston, PA 19014) On May 13, 2016 to convert an existing fixed roof storage tank into an internal floating roof tank in Upper Chester Township, **Delaware County**.

*Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702*

**GP9-01-05009: US DOD/Raven Rock Mountain Complex** (243 Beasley Drive, Suite 100, Fort Detrick, MD 21702-9229) on May 19, 2016, for a 2,919 bhp diesel engine, under GP9, at the military facility located in Liberty Township, **Adams County**.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648*

**GP5-17-486C: EOG Resources, Inc.** (191 Beaver Drive, Dubois, PA 15801) on May 9, 2016, for authoriza-

tion to continue operation of one (1) 1,340 bhp Caterpillar model G3516LE lean-burn compressor engine equipped with a Miratech model IQ-26-12-EH1 oxidation catalyst (S/N WPW02520), one (1) 1,380 bhp Caterpillar model G3516B ultra-lean-burn compressor engine equipped with an Emit Technologies model ELX-4200Z-1616F-30CEE-361 oxidation catalyst (S/N JEF01217), one (1) 1,340 bhp Caterpillar model G3516LE lean-burn compressor engine equipped with a Miratech model IQ-26-12-EH1 oxidation catalyst (S/N WPW00365), one (1) 1,380 bhp Caterpillar model G3516B ultra-lean-burn compressor engine equipped with an Emit Technologies model ELX-4200Z-1616F-30CEE-361 oxidation catalyst (S/N JEF01213), four (4) 15 MMscf/day dehydration units with 375,000 Btus/hr reboilers, two (2) 210 bbl/8,820 gallon produced water storage tanks, two (2) 100 bbl/4,200 gallon produced water storage tanks pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compressor and/or Processing Facilities (BAQ-GPA/GP-5) at the PHC Compressor Station located in Lawrence Township, **Clearfield County**.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481. Dave Balog, New Source Review Chief—Telephone: 814-332-6940*

**GP1-62-032B: Ellwood National Forge** (1 Front Street, Irvine, PA 16329) on May 6, 2016, for the authority to construct and/or operate two (2) 11.678 mmbtus/hr natural gas fired boilers (BAQ-GPA/GP-1) located in Brokenstraw Township, **Warren County**.

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**Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.**

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*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401. Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920*

**46-0026H: Global Packaging, Inc.** (209 Brower Avenue, Oaks, PA 19456) On May 23, 2016, for the installation of a heat set lithographic press at their existing facility in Upper Providence Township, **Montgomery County**.

**46-0198P: Blommer Chocolate Company** (1101 Blommer Drive, East Greenville, PA 18041) On May 18, 2016, for an upgrade to the bean cleaning process at its East Greenville plant located in Upper Hanover Township, **Montgomery County**.

**09-0236: Covanta Metals Management** (500 Middle Drive, Fairless Hills, PA 19030), On May 17, 2016 for the installation and operation of a non-ferrous metals processing facility located in Falls Township, **Bucks County**.

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790. Raymond Kempa, New Source Review Chief—Telephone: 570-826-2507*

**54-00084A: Pierson-Middleport, LLC** (730 Mountain Road, Middleport, PA 17953) issued on May 04, 2016 for the modification and operation of a stone crushing plant with water sprays at the existing facility located in Walker Township, **Schuylkill County**.

**45-00005C: Sanofi Pasteur Inc.** (Discovery Drive, Swiftwater, PA 18370-0187) issued on May 06, 2016 for the installation and operation of two (2) natural gas fired

boilers (49 MMBTUs/hr each) at the existing facility located in Pocono Twp., **Monroe County**.

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702*

**36-05017F: Conestoga Wood Specialties Corporation** (245 Reading Road, East Earl, PA 17519-0158) on May 16, 2016, for the installation of a new Venjakob conveyORIZED spray coating line, and associated ovens, at the kitchen cabinet manufacturing facility located in East Earl Township, **Lancaster County**. This equipment will replace the existing CEFLA coating line (Source 203).

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701. Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**49-00009C: Masonite Corporation—Mohawk Flush Doors, Inc.** (980 Point Township Drive, Northumberland, PA 17857), issued plan approval on May 6, 2016 for the construction of a new paint spray booth # 6, and an associated natural gas-fired drying/curing oven (designated as Source ID P114) with a motorized overhead mechanical conveyor system at its door manufacturing facility located in Point Township, **Northumberland County**.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481. Dave Balog, New Source Review Chief—Telephone: 814-332-6940*

**43-252A: Grove City College** (100 Campus Drive, Grove City, PA 16127) on May 19, 2016, issued a plan approval for construction of a 21 mmbtu/hr natural gas fired boiler; the elimination of fuel oil for Boiler 031 and 032; and the elimination of coal for Boiler 032 in Grove City Borough, **Mercer County**. This is a State Only facility.

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**Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.**

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*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401. James A. Beach, New Source Review Chief—Telephone: 484-250-5920*

**46-0142C: Custom Processing Services** (461 State Street, East Greenville, PA 18041-1701) On May 23, 2015 to extend the temporary operation of a Micro Milling Station with Dust Collector in East Greenville Borough, **Montgomery County**.

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702*

**01-05037B: Gettysburg Energy & Nutrient Recovery Facility, LLC** (71 Old Mill Bottom Road North, Suite 101, Annapolis, MD 21409) on May 18, 2016, for the construction and temporary operation of an energy and nutrient recovery facility utilizing egg layer manure located in Tyrone Township, **Adams County**. The plan approval was extended, with a revised compliance schedule.



*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701. Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**41-00001A: Transcontinental Gas Pipe Line Company, LLC** (PO Box 1396, Houston, TX 77251-1396) on May 10, 2016, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from May 29, 2016 to November 25, 2016, at their Compressor Station 520 located in Mifflin Township, **Lycoming County**. The plan approval has been extended.

**19-00007A: Transcontinental Gas Pipe Line Company, LLC** (PO Box 1396, Houston, TX 77251-1396) on May 10, 2016, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from June 28, 2016 to December 25, 2016, at their Compressor Station 517 located in Jackson Township, **Columbia County**. The plan approval has been extended.

**17-00069A: Pennsylvania State University/WPSU Tower** (3641 McGeorge Road, Clearfield, PA 16830) on May 16, 2016, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from June 2, 2016 to November 29, 2016, at their facility located in Lawrence Township, **Clearfield County**. The plan approval has been extended.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Dave Balog, New Source Review Chief—Telephone: 814-332-6328*

**10-001N: AK Steel Butler Works** (P.O. Box 832, Butler, PA 16003) on May 18, 2013, effective May 30, 2016, will issue a plan approval extension for the modification of the # 26 Carlite Furnace which includes increasing the line speed of the unit from 440 fpm to 580 and installation of new low NO<sub>x</sub> burners (increasing the fire rate from 24.4 mmbtus/hr to 26.8 mmbtus/hr). This is a Title V facility.

#### **Title V Operating Permits Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.**

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790. Raymond Kempa, New Source Review Chief—Telephone: 570-826-2507*

**54-00006: Westwood Generation LLC**, (PO Box 312, US Route 309, Tremont, PA 17981) The Department issued a renewal Title V Operating Permit on May 18, 2016, for a power generating facility in Frailey Township, **Schuylkill County**.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701. Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648.*

**08-00004: Rynone Manufacturing Corporation** (P.O. Box 128, Sayre, PA 18840-0128) on May 9, 2016, was issued a renewal Title V Operating Permit for their Sayre Plant located in Sayre Borough, **Bradford County**. The facility's main sources include four (4) vanity/countertop manufacturing lines for mixing, molding, casting and gel coating; various cleanup operations and miscellaneous combustion sources. The Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481. Dave Balog, New Source Review Chief—Telephone: 814-332-6940.*

**42-00158: Georgia Pacific Panel Products** (149 Temple Drive, Kane, PA 16735) on May 17, 2016, issued an administrative amendment to the Title V Operating Permit to incorporate the plan approval 42-158Q requirements into the permit for the facility located in Sergeant Township, **McKean County**.

#### **Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.**

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790*

*Raymond Kempa, New Source Review Chief—Telephone: 570-826-2507*

**54-00062: World Resources Co.** (170 Walnut Lane, Pottsville, PA 17901-8559) issued on 5/16/16, a State-Only Operating Permit renewal for operation of a secondary nonferrous metals manufacturing operation in Norwegian Township, **Schuylkill County**. The sources include a hydrometallurgical extraction process, a thermal concentrating unit, and an apv fluid bed processor. The hydrometallurgical extraction process emissions are controlled by a wet scrubber, and the thermal concentrating unit and fluid bed processor are controlled by venturi scrubbers and a dual packed tower scrubber. The proposed operating permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

**39-00029: Gulf Oil LTD Partnership—Fullerton Terminal** (80 Williams Street, Suite 400, Wellesley, MA 02481-3705). The Department issued a renewal State-Only Synthetic Minor operating permit on May 12, 2016 for Petroleum Bulk Stations and Terminals facility in Whitehall Township, **Lehigh County**. The sources consist of gasoline and distillate storage tanks, and one (1) Truck Loading Rack. The control device consists of one (1) Vapor Recovery Unit (VRU). The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The issued permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

**40-00033: ARC Terminals PA Holdings—Dupont Terminal** (3000 Research Forest, Suite 250, The Woodlands, TX 77381). The Department issued a renewal State-Only Synthetic Minor operating permit on May 12, 2016 for Petroleum Bulk Stations and Terminals facility in Pittston Township, **Luzerne County**. The sources consist of gasoline and distillate storage tanks, and one (1) Truck Loading Rack. The control device consists of one (1) Vapor Recovery Unit (VRU). The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The issued permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

*Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110*

*Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702*

**36-03070: Mark Line Industries** (502 Alexander Drive, Ephrata, PA 17522-9652) on May 6, 2016, for the mobile home manufacturing facility located in Ephrata Township, **Lancaster County**. The State-only permit was renewed.

**36-05161: Countertek, Inc.** (1215 Ridge Avenue, Ephrata, PA 17522-9782) on May 10, 2016, for the cultured marble and solid surface fabrication facility located in East Cocalico Township, **Lancaster County**.

**06-03065: TMS International LLC** (1155 Business Center Drive, Horsham, PA 19044-3422) on May 10, 2016, for the steel slag processing facility located in Muhlenberg Township, **Berks County**. The State-only permit was renewed.

**28-03049: Thomas L. Geisel Funeral Home, Inc.** (333 Falling Springs Road, Chambersburg, PA 17202) on May 4, 2016, for the human crematory unit at the facility located in Guilford Township, **Franklin County**. The State-only permit was renewed.

**07-05027: GBW Railcar Services, LLC** (PO Box 349, Hollidaysburg, PA 16648-0349) on May 12, 2016, for the railcar maintenance facility located in Frankstown Township, **Blair County**. The State-only permit was renewed.

**01-03026: Growmark FS, LLC** (3150 Stoney Point Road, East Berlin, PA 17316-9654) on May 12, 2016, for the chemical fertilizer manufacturing facility located in Latimore Township, **Adams County**. The State-only permit was renewed.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**59-00021: Phoenix Resources, Inc.** (782 Antrim Rd., Wellsboro, PA 16901) on May 17, 2016, was issued a renewal state only operating permit for their Phoenix Resources Landfill located in Duncan Township, **Tioga County**. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481. Matt Williams, Facilities Permitting Chief at Telephone: 814-332-6940*

**25-01011: Dusckas-Martin Funeral Home and Crematory, Incorporated** (4216 Sterrettania Road, Erie, PA 16506) on May 17, 2016, for an initial Natural Minor Permit to operate a funeral home and crematory located in Millcreek Township, **Erie County**. The emitting source is a human crematory. The emissions from the facility are less than the Title V threshold limits. Thus, the facility is Natural Minor. The facility provided the following potential emissions in the permit application: Particulate Matter (PM): 1.02 Tons per year (TPY); PM less than ten microns (PM<sub>10</sub>) 1.02 TPY; Oxides of Sulfur (SO<sub>x</sub>) 0.47 TPY; Carbon Monoxide (CO) 0.64 TPY; Oxides of Nitrogen (NO<sub>x</sub>) 0.778 TPY; and, Volatile Organic Compound (VOC) 0.653 TPY.

**37-00300: North American Forgemasters** (710 Moravia Street, New Castle, PA 16101) on May 17, 2016, issued a renewal State Only Operating Permit for the facility located in New Castle, **Lawrence County**. The facility is a Natural Minor. The primary sources at the facility are 6 forge furnaces, 2 slow cooling furnaces, 2 press forge furnaces, a temper furnace, hand scarfing, an emergency generator and an immersion degreaser. The emergency generator is subject to 40 CFR 60 Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines. The conditions of Plan Approval 37-300B were incorporated into this permit. The renewal permit contains emission restrictions, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act. The facility emissions after taking restrictions are: 3.84 TPY; 48.9 TPY; 2.77 TPY; 0.35 TPY; and, 42.3 TPY for PM<sub>10</sub>, NO<sub>x</sub>, VOC, SO<sub>x</sub>, and CO, respectively.

**Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.**

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401. Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920*

**46-00094: Highway Materials, Inc.** (5100 Joshua Road, Plymouth Meeting, PA 19462) On May 13th 2016 for an Administrative Amendment to State Only (Synthetic Minor) Operating Permit to amend the stack testing requirement for the combination HMA plant in such a manner that stack testing on auxiliary fuels (i.e., fuel oil or WDLF) is only required if consumed for 30 or more cumulative days over a certain period of time (i.e., a 12-month rolling period for fuel oil, or a 4-year consecutive time period for WDLF). This is a combination hot mix asphalt (HMA) plant at its facility located in Whitemarsh Township, **Montgomery County**.

**15-00055: Highway Materials, Inc.** (850 Quarry Road Downingtown, PA 19335), On May 13, 2016, for the amendment of a State Only, Synthetic Minor Operating Permit to amend Source 101, Condition # 006(a) in Section D of the permit. The revised condition reads, "The stack test shall be performed while the source is operating at maximum routine operating conditions and firing Waste Derived Liquid Fuel (WDLF) and natural gas." Highway Materials operates an Asphalt Plant located in East Caln Township, **Chester County**.

Highway Materials is requesting to use only natural gas as a fuel during source testing. Currently only natural gas is fired in the burner. While the company has not been using WDLF, they requested to preserve the right in the operating permit to use WDLF.

The modified condition is, "If on specification WDLF is used for 30 or more cumulative calendar days within a 4-year consecutive time period, the permittee shall conduct performance testing to measure emissions of NO<sub>x</sub>, CO, VOC, filterable and condensable PM, and opacity. Testing shall be performed using "on specification" WDLF no later than 90 days following the 30th day of cumulative WDLF usage."

There are no changes to any other conditions and no emissions in the modification of the operating permit. The facility maintains a synthetic minor operating status by

maintaining total NO<sub>x</sub> emissions to less than 12.00 tons per year. The amended permit includes testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable local, state, and federal air quality requirements.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701. Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**18-00011: Croda, Inc.** (8 Croda Way, Mill Hall, PA 17751) on May 16, 2016, was issued a revised Title V operating permit to incorporate the terms and conditions of Plan Approval 18-00011I for their facility located Bald Eagle Township, **Clinton County**. The revised Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**49-00009: Masonite Corporation** (980, Point Township Drive, Northumberland, PA 17857) issued a revised State Only operating permit, Revision No. 2 on May 17, 2016, for their facility in Point Township, **Northumberland County**. This operating permit modification allows increase of surface coating usage throughput in spray booth # 5 (Source ID P112) from 8,733 gallons to 12,220 gallons in any 12 consecutive month period. The operating permit is effective through April 5, 2017. This revised State Only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions.

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**De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.**

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*Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110*

*Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702*

**07-05001: Appvion Inc.** (100 Paper Mill Road, Roaring Spring, PA 16673). Pursuant to 25 Pa. Code § 127.449(i), this *Pennsylvania Bulletin* notice is for a de minimis emissions increase of 0.0005 TPY PM<sub>10</sub> resulting from the combustion of 500 lbs/yr of security thread in the No. 3 Power Boiler at its Spring Mill location in Roaring Spring Borough, **Blair County**. This is the first de minimis emissions increase at the facility during the term of the current operating permit.

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**Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act and 25 Pa. Code §§ 127.431 and 127.461.**

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*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481. Dave Balog, New Source Review Chief—Telephone: 814-332-6940*

**37-00027: Lindy Paving, Inc.—West Pittsburgh** (1807 Shenango Road, New Galilee, PA 16141) on December 6, 2012, for revocation of their State Only Operating Permit for the operation of the batch asphalt facility in Taylor Township, **Lawrence County**. This operating

permit was revoked because of a permanent shutdown of operations at the West Pittsburgh Plant on April 4, 2012. The sources will be dismantled or removed. The following conditions are applicable to the permanent shutdown of the West Pittsburgh facility and were approved on May 11, 2016.

a) The following sources are permanently shut down as of April 4, 2012, and prohibited from operation by this condition:

1) Source 101 (Hot Mix Asphalt Plant) rated at 300 tph.

b) The facility generated 4.05 tons of NO<sub>x</sub>, 1.34 ton of SO<sub>x</sub>, 7.19 ton of PM<sub>10</sub>, 1.64 tons of VOC, and 9.47 tons of CO Emission Reduction Credits (ERCs) with the permanent shutdown of the 300 tph Hot Mix Asphalt Plant located in Taylor Township. If the facility wishes to restart this source, a plan approval application shall be submitted.

c) The ERCs generated by the curtailment or shutdown of a facility which are not included in a plan approval and used as offsets will expire for use as offsets 10 years after the date the facility ceased emitting the ERC generating emissions. The use of these ERCs in applicability determinations for netting purposes is limited to the period specified in 25 Pa. Code § 127.203a(a)(1). (25 Pa. Code § 127.206(f)).

d) The expiration date of ERCs may not extend beyond the 10-year period allowed by subsection (f), if the ERCs are included in a plan approval but are not used and are subsequently reentered in the registry. (25 Pa. Code § 127.206(g)).

e) ERCs may not be entered into the ERC registry until the emission reduction generating the ERCs has been certified by the Department in accordance with the criteria for ERC generation and creation contained in 25 Pa. Code § 127.207 (relating to creditable emissions decrease or ERC generation and creation). (25 Pa. Code § 127.206(j)).

f) ERCs may not be traded to facilities under different ownership until the emissions reduction generating the ERCs is made federally enforceable. (25 Pa. Code § 127.206(l)).

g) ERCs transferred from one facility to another may not be transferred to a third party, unless the transfer of the ERCs is processed by the Department through the ERC registry system. (25 Pa. Code § 127.206(n)).

h) Pursuant to the provisions of 25 Pa. Code § 127.207(7), if the ERC generating source has not been dismantled or removed, the owner or operator shall on an annual basis certify in writing to the Department the continuance of the shutdown.

i) The use and transfer of ERCs shall meet the requirements in 25 Pa. Code § 127.208, regarding ERC use and transfer requirements.

j) These ERCs may be used, traded, or sold after the approved entry of the ERCs by the Department into the Pennsylvania ERC Registry System. (25 Pa. Code § 127.209).



## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P.S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1002).**

### *Coal Permits Issued*

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900*

**Permit No. 32090106 and NPDES No. PA0262927. Rosebud Mining Company**, 301 Market Street, Kittanning, PA 16201, permit renewal for reclamation only of a bituminous surface and auger mine in Burrell Township, **Indiana County**, affecting 204.2 acres. Receiving streams: Wiers Run and unnamed tributaries to Blacklick Creek, classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: August 10, 2015. Permit Issued: May 12, 2016.

**Permit No. 32663056 and NPDES No. PA0606111, Beilchick Brothers**, P.O. Box 7, Heilwood, PA 15745, renewal for the continued operation and restoration of a bituminous surface mine in Pine Township, **Indiana County**, affecting 748.0 acres. Receiving streams: unnamed tributaries to Little Yellow Creek classified for the following use: high quality cold water fishes. The first downstream potable water supply intake from the point of discharge is Indiana County Water Authority Yellow Creek Surface Water Withdrawal. Application received: October 9, 2014. Permit Issued: May 16, 2016.

**Permit No. 56763114 and NPDES No. PA0608238. Svonavec, Inc.**, 150 West Union Street, Suite 201, Somerset, PA 15501, renewal for the continued operation and restoration of a bituminous surface mine in Milford Township, **Somerset County** affecting 96.8 acres. Receiving streams: unnamed tributaries to South Glade Creek and South Glade Creek classified for the following use: warm water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: September 26, 2014. Permit Issued: May 16, 2016.

**Permit No. 56110110 and NPDES No. PA0263389, Coal Loaders, Inc.**, 210 East Main Street, Ligonier, PA 15658, revision of an existing bituminous surface mine to change the land use from woodland to wildlife habitat in Quemahoning Township, **Somerset County**, affecting 81.6 acres. Receiving streams: unnamed tributary to and Higgins Run classified for the following uses: high quality

cold water fishes. The first downstream potable water supply intake from the point of discharge is Greater Johnstown Water Authority and Cambria Somerset Authority. Application received: December 23, 2015. Permit Issued: May 19, 2016.

**Permit No. 56140105 and NPDES No. PA0269506. Fieg Brothers**, 3070 Stoystown Road, Stoystown, PA 15563, commencement, operation and restoration of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 41.5 acres. Receiving streams: unnamed tributaries to and Tubs Run to Buffalo Creek classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: October 6, 2015. Permit issued: May 19, 2016.

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200*

**17980117 and NPDES PA0256269. Junior Coal Contracting, Inc.** (2330 Six Mile Road, Philipsburg, PA 16866). Modification to the NPDES for an alternate mine drainage treatment plan and revising the permit boundary area by deleting 5.1 acres and adding 5.1 acres on a bituminous surface mine located in Decatur Township, **Clearfield County** affecting 75.6 acres. Receiving stream(s): Laurel Run and Little Laurel Run to Moshannon Creek classified for the following use(s): CWF, MF. Application received: July 9, 2015. Permit issued: May 12, 2016.

*New Stanton District Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500.*

**26100101 and NPDES Permit No. PA0251879. Neiswonger Construction, Inc.** (17592 Route 322, Strattanville, PA 16258). Permit renewal issued for reclamation only to an existing bituminous surface mine, located in Nicholson Township, **Fayette County**, affecting 36.4 acres. Receiving streams: unnamed tributaries to Georges Creek. Application received: March 18, 2016. Renewal permit issued: May 9, 2016.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901. 570-621-3118*

**Permit No. 54950201R4. Gilberton Coal Company**, (10 Gilberton Road, Gilberton, PA 17934), renewal of an existing anthracite coal refuse reprocessing operation in Butler Township, **Schuylkill County** affecting 15.0 acres, receiving stream: Big Mine Run tributary to Mahanoy Creek. Application received: January 7, 2016. Renewal issued: May 19, 2016.

**Permit No. 54950201GP104R. Gilberton Coal Company**, (10 Gilberton Road, Gilberton, PA 17934), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54950201 in Butler Township, **Schuylkill County**, receiving streams: Big Mine Run tributary to Mahanoy Creek. Application received: January 7, 2016. Renewal issued: May 19, 2016.

### *Noncoal Permits Issued*

*Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669. 814-797-1191*

**16162802. Delta Contractors & Design, Inc.** (15870 Route 322, Suite 1, Clarion, PA 16214) Commencement, operation and restoration of a small industrial minerals mine in Clarion Township, **Clarion County**, affecting 7.0 acres. Receiving streams: Brush Run. Application received: March 29, 2016. Permit Issued: May 19, 2016.



**16162802-GP-104. Delta Contractors & Design, Inc.** (15870 Route 322, Suite 1, Clarion, PA 16214) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 16162802 in Clarion Township, **Clarion County**. Receiving streams: Brush Run. Application received: March 29, 2016. Permit Issued: May 19, 2016.

### ACTIONS ON BLASTING ACTIVITY APPLICATIONS

**Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.**

#### *Blasting Permits Issued*

*New Stanton District Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500.*

**02164001. KESCO, Inc.** (215 South Main Street, Zelienople, PA 16063). Blasting activity permit for the demolition at the Norfolk south railroad Carson St. slide remediation, located in the City of Pittsburgh, **Allegheny County** with an exploration date of June 30, 2016. Blasting permit issued: May 20, 2016.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118*

**Permit No. 46164106. American Rock Mechanics, Inc.,** (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Oak Tree Business Center in Hatfield Township, **Montgomery County** with an expiration date of May 6, 2017. Permit issued: May 17, 2016.

**Permit No. 22164101. M & J Explosives, LLC,** (PO Box 1248, Carlisle, PA 17013), construction blasting for Middletown High School in Lower Swatara Township, **Dauphin County** with an expiration date of May 17, 2017. Permit issued: May 18, 2016.

**Permit No. 09164102. Brubacher Excavating, Inc.,** (P.O. Box 528, Bowmansville, PA 17507), construction blasting for Envisions in Hilltown Township, **Bucks County** with an expiration date of May 16, 2017. Permit issued: May 20, 2016.

**Permit No. 67164104. Keystone Blasting Service,** (15 Hopeland Road, Lititz, PA 17543), construction blasting for William Deardorf chicken house in Washington Township, **York County** with an expiration date of July 30, 2016. Permit issued: May 20, 2016.

### FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301–303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311–1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501–508 and 701–704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1–693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.**

*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

### WATER OBSTRUCTIONS AND ENCROACHMENTS

*Southeast Region: Waterway and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900.*

**E15-863. Eastern Shore Natural Gas Company,** 1110 Forrest Avenue, Suite 201, Dover, DE 19904-2788, Highland, Franklin, and Londonderry Townships, **Chesster County**, ACOE Philadelphia District.

To construct and maintain approximately 5.40 miles of new 16-inch diameter pipeline associated with the White Oak Mainline Expansion Project for the purpose of increasing capacity mandated by FERC. The project consists of two loops; the Daleville Loop, 3.30 Miles, and the Kemblesville Loop, 2.10 Miles. The new pipeline will cross Doe Run, an unnamed tributary to West Branch of White Clay Creek, Big Elk Creek and will permanently impact 0.1 acre of wetland. Construction will utilize HDD (Horizontal Directional Drilling) and open cut methods. The Daleville Loop begins at the Daleville Compressor Station and runs to the intersection with existing pipeline at Limestone Road (PA-1) in Cochranville. The Kemblesville Loop runs from the intersection with an existing pipeline at Hess Mill Road to an existing valve cluster south of Walker Road in Kemblesville.

USGS maps: Oxford, Parkesburg, West Grove, Newark West; Lat; 39.90281; Long -75.9116.

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

**E09-1002. Doylestown Township**, 425 Wells Road, Doylestown, PA 18901, Doylestown Township, **Bucks County**, ACOE Philadelphia District.

To construct and maintain a 57 feet long, by 9 feet wide, by 6 feet high pedestrian bridge across the 100-year floodway of Cooks Run (WWF, MF) associated with the construction of a 3/4 mile long by 10 feet wide connector trail a.k.a. Neshaminy Greenway Trail, Upper State Road to New Britain Train Station. This permit will also include modifications to an existing drainage pipe and head and endwall structures.

The site is located approximately 0.15 mile upstream of the Neshaminy Creek crossings and terminates at Tamamend Avenue (Doylestown, PA USGS map Lat.: 40.293406; Long. -75.1832).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

#### EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

*Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701*

ESCGP-2 # ESX29-015-16-0009  
Applicant Name Chesapeake Appalachia LLC  
Contact Person Eric Haskins  
Address 14 Chesapeake Lane  
City, State, Zip Sayre, PA 18840  
County Bradford

Township(s) Rome  
Receiving Stream(s) and Classification(s) UNT to Parks Ck (CWF, MF), Parks Ck (CWF, MF)  
Secondary—Parks Ck

ESCGP-2 # ESG29-113-16-0007  
Applicant Name EXCO Resources PA LLC  
Contact Person Brian Rushe  
Address 260 Executive Dr, Suite 100  
City, State, Zip Craberry Twp, PA 16066  
County Sullivan  
Township(s) Davidson  
Receiving Stream(s) and Classification(s) Muncy Ck (EV), Trout Run (HQ-CWF)

ESCGP-2 # ESX29-105-16-0003  
Applicant Name JKLM Energy LLC  
Contact Person Scott Blauvelt  
Address 2200 Georgetowne Dr, Suite 500  
City, State, Zip Sewickley, PA 15143  
County Potter  
Township(s) Sweden & Eulalia  
Receiving Stream(s) and Classification(s) UNT to Prosser Hollow (CWF), Reese Hollow (CWF)  
Secondary—Prosser Hollow (CWF), Allegheny River (CWF)

ESCGP-2 # ESG29-105-16-0002  
Applicant Name JKLM Energy LLC  
Contact Person Scott Blauvelt  
Address 2200 Georgetowne Dr, Suite 500  
City, State, Zip Sewickley, PA 15143  
County Potter  
Township(s) Sweden  
Receiving Stream(s) and Classification(s) UNT to North Hollow (HQ-CWF), UNT to Prosser Hollow (CWF)  
Secondary—North Hollow (HQ-CWF), Prosser Hollow (CWF)

ESCGP-2 # ESX11-115-0093(01)  
Applicant Name Williams Field Services Co LLC  
Contact Person Matt Anderson  
Address 310 SR 29 N  
City, State, Zip Tunkhannock, PA 18657-7845  
County Susquehanna  
Township(s) Lenox  
Receiving Stream(s) and Classification(s) Tower Branch (CWF-MF), Partners Ck (CWF-MF)

ESCGP-2 # ESX12-015-0198  
Applicant Name SWEPI LP  
Contact Person Jason Shoemaker  
Address 2100 Georgetown Dr, Suite 400  
City, State, Zip Sewickley, PA 15143  
County Tioga  
Township(s) Richmond  
Receiving Stream(s) and Classification(s) Slate Ck (CWF)

ESCGP-2 # ESX11-081-0153(01)  
Applicant Name Anadarko E&P Onshore LLC  
Contact Person Stephen Barondeau  
Address 33 W Third St, Suite 200  
City, State, Zip Williamsport, PA 17701  
County Lycoming  
Township(s) Cascade  
Receiving Stream(s) and Classification(s) UNT to Wallis Run (EV)  
Secondary—Wallis Run (EV)

## SPECIAL NOTICES

### Minor State Only Operating Permit

*Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543, Contact: Edward Wiener, Chief of Source Registration, 215-685-9426.*

The City of Philadelphia, Air Management Services (AMS) intends to issue a Minor State Only Operating Permit for the following facility:

**S14-024: Presbyterian Medical Center** (51 N. 39th Street, Philadelphia, PA 19104), for the operation of a hospital in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include two (2) 16.7 MMBTUs/hr boilers firing natural gas or No. 2 fuel oil, one (1) 10.4 MMBTUs/hr boiler firing natural gas or No. 2 fuel oil, three (3) 6 MMBTUs/hr boilers firing natural gas or No. 2 fuel oil, one (1) 2,500 kW diesel fuel fired emergency generator (E7), and six (6) emergency generators rated 750 kW or less firing diesel fuel.

The operating permit will be issued under the 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest or comments on the above operating permit must submit the protest or comments within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

### Notice of Planning Grant Awards Under Section 901 of the Municipal Waste Planning Recycling and Waste Reduction Act of 1988, Act 101

The Department of Environmental Protection (DEP) hereby announces the following grants to counties pursuant to the Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101, P.L. 556, Section 901 and Section 208 of the Waste Tire Recycling Act/Small Business and Household Pollution Prevention Act (Act 190 of 1996).

Planning grants are awarded to counties for 80% of approved costs for preparing municipal waste management plans as required by Act 101, for carrying out related studies, surveys, investigations, inquiries, research and analysis, including those related to siting, environmental mediation, education programs on pollution prevention and household hazardous waste and providing technical assistance to small businesses for pollution prevention. Grants may be awarded for feasibility studies and project development for municipal waste processing or disposal facilities, except for facilities for the combustion of municipal waste that are not proposed to be operated for the recovery of energy. All grant awards are predicated on the receipt of recycling fees required by Sections 701 and 702 of Act 101, and the availability of monies in the Recycling Fund.

Inquiries regarding the grant offerings should be directed to Mr. Mark Vottero, Department of Environmental Protection, Bureau of Waste Management, Division of Waste Minimization and Planning, PO Box 8472, Harrisburg, PA 17105-8472.

#### Act 101, Section 901 Planning Grant

<i>Region</i>	<i>County</i>	<i>Applicant</i>	<i>Project</i>	<i>Grant</i>
Northcentral	Centre	Centre County	Plan Revision/Single Stream Study	\$75,000

[Pa.B. Doc. No. 16-951. Filed for public inspection June 3, 2016, 9:00 a.m.]

### Availability of National Pollutant Discharge Elimination System General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (PAG-13)

Under The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P.S. §§ 510-5, 510-17 and 510-20), the Department of Environmental Protection (Department), by this notice, informs the public of the availability of a reissued National Pollution Discharge Elimination System (NPDES) PAG-13 General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (MS4).

The PAG-13 General Permit is intended to provide NPDES permit coverage to regulated small MS4s for discharges of stormwater to surface waters. Permittees operating under this General Permit have been either automatically designated as regulated by the United States Environmental Protection Agency (EPA) under 40

CFR 122.32(a)(1) (relating to as an operator of a small MS4, am I regulated under the NPDES storm water program) or designated as regulated by the Department under 40 CFR 122.32(a)(2).

The reissued PAG-13 General Permit will become effective at 12 a.m. on March 16, 2018. All MS4 permittees with existing NPDES permit coverage under the PAG-13 General Permit that became effective on March 16, 2013, are authorized to continue discharging under the reissued General Permit, subject to the terms and conditions of the reissued General Permit.

MS4 permittees with existing NPDES permit coverage, MS4s that previously have been waived by the Department and MS4s newly designated as a result of the 2010 census that are seeking coverage under this PAG-13 General Permit or a waiver must submit an administratively complete and acceptable Notice of Intent (NOI) by September 16, 2017. MS4s currently authorized to discharge under an individual NPDES permit who are seeking coverage under the PAG-13 General Permit may



continue to discharge in accordance with the individual permit while their NOI and associated documents are being reviewed by the Department.

Notice of the availability of a draft PAG-13 General Permit was published at 45 Pa.B. 2674 (May 30, 2015). A 60-day comment period was provided, and interested parties were directed to submit comments to the Department's eComment system or the Department's MS4 resource e-mail account RA-EPPAMS4@pa.gov, or both. During the comment period the Department received multiple requests for an extension to the comment period. The Department published notice of an extension to the comment period at 45 Pa.B. 4840 (August 15, 2015). The comment period ended on August 31, 2015. The Department received comments and questions from 64 different individuals and organizations during the comment period. A comment and response document has been developed to address all comments submitted and a number of changes were made to the final PAG-13 General Permit documents as a result (described in the comment and response document). A public hearing was not held on the draft PAG-13 General Permit. The Department also made changes to the final PAG-13 General Permit in response to the receipt of comments on the draft General Permit from the EPA.

Following is a summary of changes made to the final PAG-13 General Permit (3800-PM-BCW0100d) and associated documents in comparison to the draft PAG-13 General Permit documents published at 45 Pa.B. 2674:

- The term "waters of the Commonwealth" was removed from the final General Permit. The PAG-13 General Permit only authorizes discharges of stormwater to surface waters.
- The submission and maintenance of a Memorandum of Understanding (MOU) or other written agreement was a requirement of the NOI and General Permit, as originally drafted, to identify responsibilities of other parties who agree or are otherwise required to implement best management practices (BMP) of the General Permit on behalf of the permittee. The MOU or agreement requirement has been removed in the final General Permit.
- The NOI and NOI Instructions have been modified with respect to stormwater ordinance requirements to allow the submission of ordinances developed under an Act 167 Plan approved by the Department in 2005 or later to satisfy NOI requirements.
- The final General Permit has been modified to allow for the submission of a revised ordinance that is consistent with the Department's Model Stormwater Management Ordinance (3800-PM-BCW0100j) as an attachment to an Annual MS4 Status Report by September 30, 2022 (existing permittees) or the fourth Annual MS4 Status Report following approval of coverage (new permittees); permittees that lack the authority to enact ordinances are required to submit an SOP that is consistent with the General Permit on or before the same dates.
- The final General Permit has been modified to require the retention of records for at least 5 years (changed from 3 years in the draft General Permit).
- The operation and maintenance program for municipal operations that is required by the final General Permit has been updated to indicate that controls for solid chemical products stored and utilized for the principal purpose of deicing roadways for public safety must be consistent with the BMPs for existing salt storage and distribution sites contained in the PAG-03 NPDES General Permit for Stormwater Discharges Associated with Industrial Activity.
- The NOI Instructions have been modified to allow the use of a permittee's existing outfall numbering system instead of the Department's preferred system.
- The final General Permit clarifies that maps must show the entire storm sewer collection system, which include conveyances or BMPs on privately-owned property if stormwater from the MS4 flows onto or through the property.
- The Department has removed General Permit language in Minimum Control Measures No. 4 and No. 5 where the requirements are those under the Statewide qualifying local program (QLP) for erosion and sediment control and post-construction stormwater management under 25 Pa. Code Chapter 102 (relating to erosion and sediment control). Reliance on the Statewide QLP is an eligibility requirement for the PAG-13 General Permit. The removal of this language was done to reduce confusion over MS4 permittee responsibilities.
- The instructions for the development of an acceptable Pollutant Reduction Plan (PRP) for discharges to the Chesapeake Bay watershed or to local impaired waters (3800-PM-BCW0100k) have been updated to identify default land loading rates for counties outside the Chesapeake Bay watershed and undeveloped land within the storm sewershed; provide guidance on parsing land area from the storm sewershed; clarify that permittees that are not copermitees may collaborate on the development of PRPs; clarify that PRPs for the Chesapeake Bay are to focus on sediment reductions; and include an additional example calculation.
- For Appendices A, B and C of the final General Permit (Pollutant Control Measures for impaired waters), clarification has been provided on the timelines for satisfaction of each activity. Additional time has been provided for the submission of maps and a source inventory.
- For Appendix D of the final General Permit (PRP for Chesapeake Bay), the Department has included a minimum required reduction for Total Nitrogen in addition to sediment and Total Phosphorus (which is expected to be achieved Bay-wide when the sediment reductions are achieved) and clarified that public notices for soliciting feedback on PRPs must be published at least 45 days prior to the deadline for submission of the PRP to the Department.
- For Appendix E of the final General Permit (PRP for impaired waters), the Department has clarified the pollutants of concern for PRP development and that public notices for soliciting feedback on PRPs must be published at least 45 days prior to the deadline for submission of the PRP to the Department.
- The Waiver Application (3800-PM-BCW0100e) has been amended to include two additional questions; in addition, the Department is allowing certain MS4 applicants that would not otherwise qualify for a waiver to submit a request to the Department for an advanced approval, under certain conditions.
- A document containing BMP effectiveness values has been published (3800-BCW-0100m) to assist permittees with the selection of pollutant removal efficiencies for various BMPs when developing PRP documents. The values contained in this document or in Chesapeake Bay



Program expert reports must be used for development of PRPs developed under this General Permit.

- A summary of scheduled requirements in the PAG-13 General Permit has been published (3800-BCW-01001) to assist permittees with understanding obligations throughout the term of permit coverage.

The NOI fee for coverage under PAG-13 is \$500 per each year the permittee operates under the General Permit. The NOI fee will be paid in installments, with the initial fee of \$500 submitted with the NOI for permit coverage and an installment of \$500 to be submitted at the time each Annual MS4 Status Report is due. The Department anticipates that after coverage under the reissued PAG-13 is approved, coverage will continue each year with submission of the Annual MS4 Status Report, which will constitute the NOI, unless the Department specifically requires the submission of a new NOI in writing.

The General Permit package can be accessed through the Department's eLibrary web site at [www.elibrary.dep.state.pa.us](http://www.elibrary.dep.state.pa.us) by selecting "Permit and Authorization Packages," then "Clean Water," then "PAG-13 MS4 General Permit."

In accordance with 25 Pa. Code § 92a.84(c)(2) (relating to public notice of general permits), the Department will publish notice in the *Pennsylvania Bulletin* upon receipt of each PAG-13 General Permit NOI for new coverage and renewal of coverage, including those that are accompanied by waiver applications. In addition, the Department will publish notice of each approval of coverage and waiver in the *Pennsylvania Bulletin*.

PATRICK McDONNELL,  
*Acting Secretary*

[Pa.B. Doc. No. 16-952. Filed for public inspection June 3, 2016, 9:00 a.m.]

### Bid Opportunity

**OSM 59(6661,6662)101.1, Abandoned Mine Reclamation Project, Arbon Cemetery, St. Andrews Cemetery, Blossburg Borough and Hamilton Township, Tioga County.** The principal items of work and approximate quantities include clearing and grubbing, grading 254,000 cubic yards, dewatering impoundments, relocated roadway 1,530 linear feet, drainage excavation 765 cubic yards, high velocity erosion control mulch blanket 2,315 square yards, subsurface drain 1,595 linear feet, tree planting 7,171 each, seeding 18.8 acres and ARRI seeding 10.5 acres.

This bid issues on June 10, 2016, and bids will be opened on July 7, 2016, at 2 p.m. Bid documents,

### Recycling Grant Awards under the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101 of 1988

The Department of Environmental Protection (Department) announces the following grants to municipalities for recycling programs under section 902 of the Municipal Waste Planning, Recycling and Waste Reduction Act (act) (53 P.S. § 4000.902). Over \$16.7 million in grant funding was awarded to 120 municipalities as follows.

Grant funds are used to develop and implement recycling programs. Municipalities and counties are eligible for up to 90% funding of approved recycling program costs. Municipalities considered financially distressed by the Department of Community and Economic Development under the Municipalities Financial Recovery Act (53 P.S. §§ 11701.101—11701.712), also known as the Financially Distressed Municipalities Act, are eligible for 100% of approved costs. All grant awards are predicated on the receipt of recycling fees required by sections 701 and 702 of the act (53 P.S. §§ 4000.701 and 4000.702) and the availability of moneys in the Recycling Fund.

including drawings in PDF format and Auto-Cad Map 3D format, may be downloaded for free beginning on the issue date from the Department of Environmental Protection's web site at [www.dep.pa.gov/ConstructionContracts](http://www.dep.pa.gov/ConstructionContracts). Bid documents and drawings can also be obtained upon payment of \$22, plus \$8 for postage, which includes sales tax, by calling (717) 787-7820. Auto-Cad Map 3D format drawings can also be purchased on a compact disc (CD) for an additional \$5 per CD. Money will not be refunded. This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1308) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 for more information on this bid.

PATRICK McDONNELL,  
*Acting Secretary*

[Pa.B. Doc. No. 16-953. Filed for public inspection June 3, 2016, 9:00 a.m.]

### Bid Opportunity

**AMD 65(1183)103.1, Acid Mine Drainage Abatement Project, Keystone Passive Treatment System, Derry Township, Westmoreland County.** The principal items of work and approximate quantities include limestone coarse aggregate 4,800 tons, installation of AMD conveyance 1,600 linear feet, grading 5,600 cubic yards, seeding 4 acres and mine seal.

This bid issues on June 24, 2016, and bids will be opened on July 21, 2016, at 2 p.m. Bid documents, including drawings in PDF format and Auto-Cad Map 3D format, may be downloaded for free beginning on the issue date from the Department of Environmental Protection's web site at [www.dep.pa.gov/ConstructionContracts](http://www.dep.pa.gov/ConstructionContracts). Bid documents and drawings can also be obtained upon payment of \$22, plus \$8 for postage, which includes sales tax, by calling (717) 787-7820. Auto-Cad Map 3D format drawings can also be purchased on a compact disc (CD) for an additional \$5 per CD. Money will not be refunded. This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1308) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 for more information on this bid.

PATRICK McDONNELL,  
*Acting Secretary*

[Pa.B. Doc. No. 16-954. Filed for public inspection June 3, 2016, 9:00 a.m.]

Inquiries regarding the grant offerings should be directed to Mark Vottero, Recycling Grants Coordinator, Department of Environmental Protection, Bureau of Waste Management, Division of Waste Minimization and Planning, Rachel Carson State Office Building, P.O. Box 8472, Harrisburg, PA 17105-8472.

<i>Municipality/County</i>		<i>Project</i>	<i>Award</i>
<b>Southeast Region</b>			
1	Doylestown Township Bucks County	Leaf Waste Processing Program	\$188,097
2	East Rockhill Township Bucks County	Leaf Waste Processing Program	\$40,176
3	Middletown Township Bucks County	Curbside Recycling and Educational Programs	\$24,000
4	Caln Township Chester County	Leaf Waste Recycling Program	\$213,386
5	Phoenixville Borough Chester County	Leaf Waste Recycling Program	\$201,999
6	South East Chester County Refuse Authority Chester County	Recycling Processing Facility	\$249,802
7	West Chester Borough Chester County	Leaf Waste Collection Program	\$250,000
8	Darby Township Delaware County	Leaf Waste Collection Program	\$76,972
9	Haverford Township Delaware County	Leaf Waste Collection and Processing Programs	\$250,000
10	Lansdowne Borough Delaware County	Curbside Recycling and Education Program	\$139,834
11	Marple Township Delaware County	Leaf Waste Collection Program	\$72,384
12	Newtown Township Delaware County	Curbside Recycling Program	\$222,340
13	Parkside Borough Delaware County	Curbside Recycling and Educational Programs	\$13,500
14	Prospect Park Borough Delaware County	Curbside Recycling Program	\$104,081
15	Ridley Park Borough Delaware County	Leaf Waste Collection Program	\$201,451
16	Sharon Hill Borough Delaware County	Leaf Waste Collection Program	\$36,260
17	Springfield Township Delaware County	Curbside Recycling Program	\$199,817
18	Swarthmore Borough Delaware County	Curbside Recycling Program	\$24,213
19	Abington Township Montgomery County	Curbside Recycling Program	\$250,000
20	Lower Moreland Township Montgomery County	Leaf Waste Collection Program	\$43,695
21	Upper Hanover Township Montgomery County	Leaf Waste Processing Program	\$31,992
22	West Norriton Township Montgomery County	Leaf Waste Collection Program	\$102,035
23	Philadelphia City Philadelphia County	Curbside Recycling Program	\$250,000
<b>Northeast Region</b>			
24	Archbald Borough Lackawanna County	Leaf Waste Processing and School Recycling Programs	\$37,370
25	Blakely Borough Lackawanna County	Curbside Collection and School Recycling Programs	\$15,912

<i>Municipality/County</i>	<i>Project</i>	<i>Award</i>
26 Old Forge Borough Lackawanna County	Recycling Collection Program	\$235,999
27 Taylor Borough Lackawanna County	Recycling Collection Program	\$216,444
28 Lower Macungie Township Lehigh County	Recycling Collection Program	\$250,000
29 South Whitehall Township Lehigh County	Leaf Waste Collection Program	\$168,495
30 Washington Township Lehigh County	Leaf Waste Processing Program	\$34,668
31 Whitehall Township Lehigh County	Recycling Collection Program	\$250,000
32 Dallas Area Municipal Authority Luzerne County	Recycling and Leaf Waste Programs	\$220,565
33 Duryea Borough Luzerne County	Recycling and Leaf Waste Programs	\$205,465
34 Exeter Borough Luzerne County	Recycling Facility	\$155,897
35 Larksville Borough Luzerne County	Leaf Waste Collection Program	\$94,349
36 Nanticoke City Luzerne County	Recycling Collection and Educational Programs	\$97,227
37 West Pittston Borough Luzerne County	Recycling Collection Program	\$99,552
38 Chestnuthill Township Monroe County	Recycling Processing Facility	\$144,914
39 Hamilton Township Monroe County	Recycling Collection Program	\$17,397
40 Oak Grove Compost Processing Board Monroe County	Leaf Waste Processing Program	\$247,866
41 Tunkhannock Township Monroe County	Recycling Collection Program	\$43,892
42 Bethlehem City Northampton County	Leaf Waste Collection Program	\$202,927
43 Hellertown Borough Northampton County	Leaf Waste Processing Program	\$186,386
44 Lehigh Township Northampton County	Leaf Waste Collection and Educational Programs	\$65,036
45 Wayne County Wayne County	School Recycling Program	\$100,714
46 Wyoming County Wyoming County	Recycling Collection and Processing Programs	\$23,321
<b>Southcentral Region</b>		
47 Berks County SWA Berks County	Drop-off Recycling Center	\$189,448
48 Cumru Township Berks County	Leaf Waste Collection and Educational Programs	\$65,059
49 Exeter Township Berks County	Leaf Waste and Recycling Education Programs	\$102,561
50 Muhlenberg Township Berks County	Leaf Waste Collection Program	\$218,231
51 St. Lawrence Borough Berks County	Leaf Waste Collection Program	\$52,759
52 Wyomissing Borough Berks County	Leaf Waste and Recycling Education Programs	\$112,080

<i>Municipality/County</i>	<i>Project</i>	<i>Award</i>
53 Cumberland County Cumberland County	Leaf Waste Processing Program	\$239,805
54 East Pennsboro Township Cumberland County	Leaf Waste Processing Program	\$38,455
55 Derry Township Dauphin County	Leaf Waste Processing Program	\$240,345
56 Harrisburg City Dauphin County	Leaf Waste Collection Program	\$250,000
57 Greene Township Franklin County	Leaf Waste Processing Program	\$250,000
58 Huntingdon County Huntingdon County	Drop-off Recycling Program	\$20,584
59 Denver Borough Lancaster County	Leaf Waste Collection Program	\$33,930
60 Salisbury Township Lancaster County	Leaf Waste Processing Program	\$200,474
61 West Lampeter Township Lancaster County	Drop-off Recycling Program	\$204,930
62 Greater Lebanon Refuse Authority Lebanon County	Leaf Waste Processing Program	\$250,000
63 Palmyra Borough Lebanon County	Leaf Waste Collection Program	\$155,682
64 South Lebanon Township Lebanon County	Leaf Waste Facility	\$249,966
65 Union Township Lebanon County	Drop-off Recycling Program	\$31,440
66 Conewago Township York County	Curbside Recycling and Educational Programs	\$5,377
67 Fairview Township York County	Leaf Waste Collection and Processing Programs	\$86,126
68 Red Lion Borough York County	Leaf Waste Collection Program	\$76,103
69 West Manchester Township York County	Leaf Waste Collection Program	\$33,615
70 Windsor Borough York County	Curbside Recycling Program	\$5,323
71 York City York County	Curbside Recycling Program	\$31,028
<b>Northcentral Region</b>		
72 Centre County Recycling and Refuse Authority Centre County	Recycling Collection Program	\$250,000
73 Ferguson Township Centre County	Leaf Waste Collection and Processing Programs	\$169,708
74 Philipsburg Borough Centre County	Leaf Waste Collection and Processing Programs	\$149,287
75 State College Borough Centre County	Leaf and Food Waste Facility	\$250,000
76 Clinton County Solid Waste Authority Clinton County	Recycling Collection Program	\$249,815
77 Lock Haven City Clinton County	Leaf Waste Collection and Education Programs	\$187,646
78 Bloomsburg Town Columbia County	Recycling Collection Program	\$249,375



<i>Municipality / County</i>	<i>Project</i>	<i>Award</i>
79 Duboistown Borough Lycoming County	Leaf Waste Collection Program	\$32,152
80 Hughesville Borough Lycoming County	Leaf Waste Processing Program	\$45,000
81 Lycoming County Lycoming County	Drop-off Recycling Program	\$249,945
82 Shamokin City Northumberland County	Recycling Collection Program	\$80,000
83 Snyder County SWMA Snyder County	Recycling Drop-off and Educational Programs	\$32,130
84 Monroe Township Snyder County	Compost Facility and Processing Programs	\$240,437
85 East Buffalo Township Union County	Leaf Waste and Curbside Recycling Programs	\$55,755
86 Union County Union County	Recycling Drop-off and Leaf Waste Processing	\$224,432
<b>Southwest Region</b>		
87 Crafton Borough Allegheny County	Leaf Waste Program	\$78,471
88 Elizabeth Township Allegheny County	Leaf Waste and Recycling Education Programs	\$136,863
89 Findlay Township Allegheny County	Curbside Recycling Collection and Recycling Education Programs	\$100,053
90 Forest Hills Borough Allegheny County	Leaf Waste Processing Program	\$75,951
91 McKeesport City Allegheny County	Curbside Recycling Program	\$216,934
92 Pittsburgh City Allegheny County	Recycling Processing and Educational Programs	\$250,000
93 Robinson Township Allegheny County	Leaf Waste Processing Program	\$250,000
94 Wilkesburg Borough Allegheny County	Curbside Recycling and Educational Programs	\$161,047
95 Armstrong County Armstrong County	Recycling Processing Center and Education	\$236,500
96 Ambridge Borough Beaver County	Leaf Waste Recycling Program	\$77,400
97 Beaver County Beaver County	Drop-off Recycling and Educational Programs	\$224,999
98 Bridgewater Borough Beaver County	Curbside Recycling and Educational Programs	\$43,650
99 Chippewa Township Beaver County	Leaf Waste Recycling Program	\$132,408
100 Harmony Township Beaver County	Leaf Waste, Collection and Educational Programs	\$113,400
101 Patterson Township Beaver County	Curbside Recycling and Educational Programs	\$48,743
102 Uniontown City Fayette County	Leaf Waste Recycling Program	\$195,133
103 Greene County Greene County	Recycling Processing and Drop-off Programs	\$250,000
104 Indiana Borough Indiana County	Curbside Recycling Program	\$41,198
105 Indiana County SWA Indiana County	Drop-off Recycling Program	\$250,000

<i>Municipality/County</i>	<i>Project</i>	<i>Award</i>
106 White Township Indiana County	Curbside Recycling Program	\$65,613
107 Peters Township Washington County	Recycling Processing and Educational Programs	\$61,900
108 Monessen City Westmoreland County	Leaf Waste Recycling Program	\$177,804
<b>Northwest Region</b>		
109 Buffalo Township Butler County	Curbside Recycling Program	\$11,700
110 Butler County Butler County	Paper Recycling Program	\$210,000
111 Crawford County Solid Waste Authority Crawford County	Recycling Drop-off and Educational Programs	\$250,000
112 Elk County Elk County	Recycling Processing Center	\$250,000
113 Erie City Erie County	Leaf Waste Processing Program	\$250,000
114 Erie County Erie County	Recycling Drop-off Program	\$80,689
115 Fairview Township Erie County	Compost and Recycling Center	\$250,000
116 Jefferson County Solid Waste Authority Jefferson County	Drop-off Recycling Program	\$237,813
117 Lawrence County Lawrence County	Drop-off Recycling Program	\$73,569
118 McKean County McKean County	Recycling Center	\$102,655
119 Millcreek Township Erie County	Leaf Waste Processing Program	\$250,000
120 New Castle City Lawrence County	Curbside Recycling Program	\$66,000

PATRICK McDONNELL,  
*Acting Secretary*

[Pa.B. Doc. No. 16-955. Filed for public inspection June 3, 2016, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### Real Estate for Sale Cambria County

The Department of General Services (Department) will accept bids for the purchase of 328.46 ± acres with Main Building Improvements containing 443,202 ± square feet, formerly known as SCI-Cresson, at 301 Cresson Road, Cresson, Cambria County. Bids are due Tuesday, August 23, 2016. Interested parties wishing to receive a copy of Solicitation No. 94809 should view the Department's web site at [www.dgs.pa.gov](http://www.dgs.pa.gov) or call Lisa Kettering at (717) 787-1321.

CURTIS M. TOPPER,  
*Secretary*

[Pa.B. Doc. No. 16-956. Filed for public inspection June 3, 2016, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Adoption of the 2012 Edition of the Life Safety Code

Under authority of the Health Care Facilities Act (act) (35 P.S. §§ 448.101—448.904b) and the health care facility licensure regulations promulgated under the act, specifically 28 Pa. Code §§ 153.1(c), 203.1 and 569.2 (relating to minimum standards; application of the Life Safety Code; and fire safety standards), the Department of Health (Department) will adopt the 2012 edition of the National Fire Protection Association's (NFPA) Life Safety Code (LSC), NFPA # 101, effective July 5, 2016. As of July 5, 2016, the Department will apply these new requirements to all plans for new construction or renovations of licensed health care facilities and for State licensure inspections of these facilities.

The Department has received inquiries regarding the implementation of the 2012 LSC and when the LSC would be enforced. The 2012 edition of the LSC can be utilized immediately; however, the mandatory usage of

this edition will not take effect until July 5, 2016, consistent with the Federal final rule "Medicare and Medicaid Programs; Fire Safety Requirements for Certain Health Care Facilities" published at 81 FR 26872 (May 4, 2016).

Persons interested in purchasing a copy of the 2012 LSC may submit an order to the NFPA at (800) 344-3555 or [www.nfpacatalog.org](http://www.nfpacatalog.org).

Questions regarding this notice should be directed to Charles Schlegel, Director, Division of Safety Inspection at (717) 787-1911.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact the Division of Safety Inspection at the previously referenced telephone number, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

KAREN M. MURPHY, PhD, RN,  
*Secretary*

[Pa.B. Doc. No. 16-957. Filed for public inspection June 3, 2016, 9:00 a.m.]

### Ambulatory Surgical Facilities; Requests for Exceptions

The following ambulatory surgical facilities (ASF) have filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license ASFs under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exception relate to regulations governing ASF licensure in 28 Pa. Code Chapters 51 and 551—571 (relating to general information; and ambulatory surgical facilities).

<i>Facility Name</i>	<i>Regulation</i>
Penn Medicine at Radnor Endoscopy Facility	28 Pa. Code § 553.31(a) (relating to administrative responsibilities)
Reading Ambulatory Surgery Center, LP	28 Pa. Code § 557.2 (relating to plan)

All requests previously listed are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, [ra-paexcept@pa.gov](mailto:ra-paexcept@pa.gov). Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,  
*Secretary*

[Pa.B. Doc. No. 16-958. Filed for public inspection June 3, 2016, 9:00 a.m.]

### Decisions on Requests for Exception to Health Care Facility Regulations; Correction

The Department of Health (Department) published a notice entitled "Decisions on Requests for Exception to Health Care Facility Regulations" at 46 Pa.B. 1861 (April 9, 2016). That notice contains a list of decisions of the Department on requests filed with the Department for exceptions to regulations contained in 28 Pa. Code Part IV, Subparts B—G under 28 Pa. Code § 51.33 (relating to requests for exceptions) that had been published in the *Pennsylvania Bulletin* from January, 2016, through March, 2016. That notice incorrectly reflected that the following exception request was denied. The purpose of this notice is to correct the prior notice and advise that the request was granted.

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Progressive Surgical Institute Abe, Inc.	§ 553.31	Principle	03/12/2016	granted

Inquiries regarding this correction notice should be addressed to Garrison E. Gladfelter, Jr., Director, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact the Division of Acute and Ambulatory Care or the Division of Nursing Care Facilities at the previously referenced address or telephone number, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

KAREN M. MURPHY, PhD, RN,  
*Secretary*

[Pa.B. Doc. No. 16-959. Filed for public inspection June 3, 2016, 9:00 a.m.]

**Hospitals; Requests for Exceptions**

The following hospital has filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license hospitals under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following request for exception relates to regulations governing hospital licensure in 28 Pa. Code Chapters 51 and 101—158 (relating to general information; and general and special hospitals) with the exception of 28 Pa. Code § 153.1 (relating to minimum standards). Exception requests related to 28 Pa. Code § 153.1 are listed separately in this notice.

*Facility Name*

Surgical Institute of Reading

*Regulation*

28 Pa. Code § 103.3 (relating to governing body bylaws)  
 28 Pa. Code § 103.34 (relating to personnel policies and practices)  
 28 Pa. Code § 103.41 (relating to principle)  
 28 Pa. Code § 103.42 (relating to rates)  
 28 Pa. Code § 103.43 (relating to insurance)  
 28 Pa. Code § 103.44 (relating to purchasing and inventory)  
 28 Pa. Code § 103.45 (relating to audit of financial operations)  
 28 Pa. Code § 103.46 (relating to equipment and supplies)  
 28 Pa. Code § 107.11 (relating to principle)  
 28 Pa. Code § 107.12 (relating to content of bylaws, rules and regulations)

The following hospital is requesting exceptions under 28 Pa. Code § 153.1. Requests for exceptions under this section relate to minimum standards that hospitals must comply with under the *Guidelines for Design and Construction of Hospitals and Outpatient Facilities (Guidelines)*. The following list includes the citation to the section under the *Guidelines* that the hospital is seeking an exception, as well as the publication year of the applicable *Guidelines*.

<i>Facility Name</i>	<i>Guidelines Section</i>	<i>Relating to</i>	<i>Publication Year</i>
Thomas Jefferson University Hospital	3.8-3.1.2.1	Area (neurology/neuroscience)	2014
	3.8-3.1.2.1	Area (family med., 833 Chestnut Street)	2014

All requests previously listed are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,  
*Secretary*

[Pa.B. Doc. No. 16-960. Filed for public inspection June 3, 2016, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

**Action Taken by the Commission**

The Independent Regulatory Review Commission met publicly at 10 a.m., Thursday, May 19, 2016, and announced the following:

*Action Taken—Regulation Approved:*

Department of Human Services # 14-539: Intellectual Disability Terminology Update (amends 55 Pa. Code Chapters 13, 14, 20, 2380, 2390, 2600, 2800, 3800, 4200, 4210, 4215, 4220, 4230, 4300, 4305, 4310, 6201, 6210, 6211, 6250, 6350, 6400, 6500, and 6600)

*Action Taken—Regulations Disapproved: Orders Not Yet Issued*

\*Pennsylvania Liquor Control Board # 54-85: Limited Wineries

\*Pennsylvania Public Utility Commission # 57-304: Implementation of the Alternative Energy Portfolio Standards Act of 2004

\*Will advise when order is issued.

**Approval Order**

Public Meeting Held  
 May 19, 2016

*Commissioners Voting:* George D. Bedwick, Chairperson;  
 John F. Mizner, Esq., Vice Chairperson; W. Russell  
 Faber; Murray Ufberg, Esq.; Dennis A. Watson, Esq.



*Department of Human Services—  
Intellectual Disability Terminology Update  
Regulation No. 14-539 (# 3137)*

On April 14, 2016, the Independent Regulatory Review Commission (Commission) received this regulation from the Department of Human Services (Department). This rulemaking amends 55 Pa. Code Chapters 13, 14, 20, 2380, 2390, 2600, 2800, 3800, 4200, 4210, 4215, 4220, 4230, 4300, 4305, 4310, 6201, 6210, 6211, 6250, 6350, 6400, 6500, and 6600. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This final-omitted regulation updates the language in 24 chapters of Title 55 (relating to public welfare) to replace the terms “the retarded,” “retarded person,” “men-

tally retarded” and “mental retardation” with the term “intellectual disability.”

We have determined this regulation is consistent with the statutory authority of the Department (62 P.S. §§ 201(2), 211, 213, 443.1(2) and (3)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

GEORGE D. BEDWICK,  
*Chairperson*

[Pa.B. Doc. No. 16-961. Filed for public inspection June 3, 2016, 9:00 a.m.]

### Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b).

The Commission has issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
7-520	Environmental Quality Board Disinfection Requirements Rule 46 Pa.B. 857 (February 20, 2016)	4/19/16	5/19/16

#### **Environmental Quality Board Regulation # 7-520 (IRRC # 3136)**

##### **Disinfection Requirements Rule**

**May 19, 2016**

We submit for your consideration the following comments on the proposed rulemaking published in the February 20, 2016 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the Environmental Quality Board (EQB) to respond to all comments received from us or any other source.

#### **1. Effective date of rulemaking.—Implementation procedures.**

Commentators request that EQB defer the effective date of the rulemaking to at least 6 months to 24 months after final promulgation. They state that additional time is needed for capital improvements, proper budgeting, planning, and training. Some commentators suggest adding a provision that would allow water systems to make requests for extended compliance schedules under certain circumstances. We acknowledge that EQB is specifically seeking input on when certain provisions of the rulemaking should become effective. We ask the EQB to continue to work with the regulated community to develop a schedule for implementing this rule that adequately protects the health, safety and welfare of the public, while at the same time, minimizing the fiscal impact it will have on water systems.

#### **Subchapter B. MCLs, MRDLs or TREATMENT TECHNIQUE REQUIREMENTS**

#### **2. Section 109.202. State MCLs, MRDLs and treatment technique requirements.—Fiscal impact; Reasonableness; Need.**

EQB is proposing to amend Section 109.202(c)(1)(ii) to clarify the existing minimum residual disinfectant level at the entry point by adding a zero to the minimum level (0.20 mg/L). EQB explains that 0.20 mg/L is needed to ensure an adequate disinfectant residual in the water entering the distribution system and that the level of sensitivity is consistent with other Department of Environmental Protection (DEP) values. The Small Water Systems Technical Advisory Center (TAC) to DEP recommended the minimum entry point residual remain at 0.2 mg/L because water systems using strip chart recorders may not be able to record data to two decimal places and would need to upgrade to supervisory control and data acquisition (SCADA) systems. Commentators are in agreement with the TAC and question whether DEP's estimate to upgrade to electronic recording devices of \$1,500 per system includes costs for installation and connection to SCADA systems. In the final-form Preamble and RAF, EQB should provide specific estimates of all the costs associated with compliance and an explanation of how the estimates were derived. In addition, we ask EQB to explain why it believes the costs associated with this provision outweigh the potential benefits it may produce.

### Subchapter C. MONITORING REQUIREMENTS

#### 3. Section 109.301. General monitoring requirements.—Reasonableness; Fiscal impact.

This section sets forth performance monitoring requirements for public water suppliers. Section 109.301(1)(i)(D)(II) requires a public water supplier to monitor the disinfectant residual at representative locations in the distribution system at least once per week. Commentators believe the additional residual monitoring from once a month to once a week will increase operating costs for small water systems. They recommend monitoring at the same frequency and schedule as the Revised Total Coliform Rule (RTCR). In the Preamble to the final-form regulation, EQB should explain the reasonableness of requiring weekly monitoring, and how the potential benefits outweigh any costs associated with it.

### Subchapter G. SYSTEM MANAGEMENT RESPONSIBILITIES

#### 4. Section 109.710. Disinfectant residual in the distribution system.—Reasonableness; Protection of the public health, safety and welfare; Fiscal impact; and Implementation procedures.

##### *Minimum disinfectant residual*

EQB is proposing to increase the minimum residual in the distribution system to 0.2 mg/L free or total chlorine from the current level 0.02 mg/L. EQB explains that the distribution systems remain a source of contamination that has yet to be fully addressed and that the existing 0.02 mg/L is inadequate to protect against microbial growth within the distribution system. Despite the data provided in the Preamble by the EQB, commentators remain unclear as to which public health concern the EQB is addressing by raising the residual limit in the distribution system. Commentators also expressed concern that the new residual standard would likely increase the formation of disinfection byproducts (DBPs) which have known health risks. In the Preamble to the final-form regulation, EQB should explain what specific public health issue is being addressed by the proposed disinfectant residual that is not currently being handled by the RTCR or isn't a premise plumbing concern. EQB should also explain what measures exist to safeguard against increases in DBPs.

##### *Costs*

The fiscal analysis provided in the RAF indicates that the total estimated cost to the regulated community is \$823,500. The regulated community believes DEP has overestimated the number of water suppliers that would be in compliance with the proposed residual and has underestimated capital and operational costs. For example, Philadelphia Water estimated \$25 million dollars in capital costs and \$2.5 million dollars in annual operating and maintenance costs. The Borough of Carlisle estimates capital costs ranging from \$115,000 to \$190,000 to potentially comply with a 0.2 mg/L free chlorine requirement. As EQB develops the final-form regulation, we ask that they reach out to the regulated community to gain a better understanding of the potential costs associated with the new requirements and to include those revised costs in the RAF submitted with regulatory package.

##### *Tier 2 Public Notification*

Subparagraph (c)(3) requires water utilities to issue a Tier 2 public notification for all results not meeting the proposed 0.2 mg/L minimum limitation. Several municipal water authorities have stated that because no known health risks have been identified in the proposed rulemaking, requiring water utilities to issue Tier 2 public notices for failing to meet 0.2 mg/L will erode public confidence in water quality. Commentators disagree that the proposed minimum disinfectant residual is practical and achievable. They believe additional notifications could lead to overuse of public notifications. In the Preamble to the final-form rulemaking, we ask EQB to explain why public notification is needed when the minimum disinfectant residual is not maintained in the distribution system and why the benefits of such a notice outweigh any potential costs associated with such notice.

##### *Heterotrophic plate count (HPC)*

EQB is proposing to delete Subsection (b) which requires a public water system that uses surface water or groundwater under direct influence of surface water (GUDI) sources or obtains finished water from another permitted public water system using the surface water or GUDI to collect Heterotrophic Plate Count (HPC) measurements. TAC recommends retaining HPC monitoring as an alternative compliance criteria. Supporters view it as a tool that can alert operators to a problem before sample locations actually present with a positive Total Coliform or E.coli sample. They argue removing this provision may weaken public health protections. Others remarked that HPC is allowed under the federal regulations and retaining it will reduce the number of instances where public notice is required. We note that the EQB has asked for comments with references to studies, reports or data comparing whether HPC less than 500 provides the same level of public health protection as a disinfectant residual of 0.2mg/L. In the Preamble to the final-form rulemaking, we ask the EQB to explain its rationale for removing this provision. We will consider EQB's response to comments and any changes made to this subsection in our review of the final-form regulation to determine whether it is in the public interest.

### Subchapter J. BOTTLED WATER AND VENDED WATER SYSTEMS, RETAIL WATER FACILITIES AND BULK WATER HAULING SYSTEMS.

#### 5. Section 109.1003. Monitoring requirements.—Reasonableness; Clarity; Possible conflict with other statutes or existing regulations.

Section 109.1003(a)(1)(xiv) requires that bottled, bulk and retail water systems that use or purchase water from a system that uses surface water or GUDI sources must also meet the minimum distribution system disinfection residual requirements. EQB states these revisions are in response to the United States Environmental Protection Agency's (EPA) comments to obtain primacy for Long Term 2 Enhanced Surface Water Treatment Rule. Water dispensing unit (WDU) operators commented that adding the HPC test alongside the Total Coliform test is duplicative and adds unnecessary costs. They further point out the drinking water standard for HPC is geared toward public water systems treating non-potable surface water or GUDI and that it should not apply to WDUs which receive already treated municipal water. We ask EQB to explain in the RAF and Preamble of the final-form

regulation the reasonableness of requiring water dispensing units to meet the same disinfection residual requirements as public water systems.

The EPA submitted comments that identify several instances where the Bottled Water and Vended Water Systems, Retail Water Facilities and Bulk Water Hauling Systems (BVRB) monitoring provisions are inconsistent with federal regulations and must be changed to obtain primacy. The EPA also seeks clarification on the BVRB

entry point residual. We will review the EQB's response to the EPA's comments and any changes made to this section in our review of the final-form rulemaking to determine whether it is in the public interest.

GEORGE D. BEDWICK,  
*Chairperson*

[Pa.B. Doc. No. 16-962. Filed for public inspection June 3, 2016, 9:00 a.m.]

### Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or it can be viewed on the Commission's web site at [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
57-309	Pennsylvania Public Utility Commission Customer Information Disclosure Requirements for Natural Gas Suppliers Providing Natural Gas Supply to Residential and Small Business Customers	5/18/16	6/30/16

GEORGE D. BEDWICK,  
*Chairperson*

[Pa.B. Doc. No. 16-963. Filed for public inspection June 3, 2016, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Alleged Violation of Insurance Laws; Steven Martorano; Doc. No. SC16-05-014

Notice is hereby given of the Order to Show Cause issued on May 24, 2016, by the Deputy Insurance Commissioner in the previously-referenced matter. Violation of the following is alleged: sections 611-A(20) and 678-A(b) of The Insurance Department Act of 1921 (40 P.S. §§ 310.11(20) and 310.78(b)).

Respondent shall file a written answer to the Order to Show Cause within 30 days of the date of issue. If respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed in writing with the Hearings Administrator, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102.

Persons with a disability who wish to attend the previously-referenced administrative hearing, and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Donna Fleischauer, Agency ADA Coordinator at (717) 705-4194.

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 16-964. Filed for public inspection June 3, 2016, 9:00 a.m.]

### Rate Filing Information for Pennsylvania Issuers Requesting Affordable Care Act-Compliant Premium Rates Effective January 1, 2017, through December 31, 2017

The Insurance Department (Department) made the following rate request summaries public on May 25, 2016. The Department will make a copy of each filing public the week of June 13, 2016. In addition, correspondence and filing revisions will be made public as they occur during review.

The filing will be available on the Department's web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). To view this filing, hover the cursor over "Consumers" in the blue bar at the top of the webpage then select "ACA Health Rate Filings." Portions of the filing can also be viewed at the Centers for Medicare and Medicaid Services' web site at <https://ratereview.healthcare.gov/>.

Portions of the filing are also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

For the following filings, all interested parties are invited to submit written or e-mail comments, suggestions or objections to Cherri Sanders-Jones, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [csandersjo@pa.gov](mailto:csandersjo@pa.gov) by July 22, 2016.

Company name: Federated Mutual Insurance Company  
Market: Small Group  
Product: PPO  
Average rate change: 33.3% and \$147.58 per member per month (pmpm)  
Range of rate change: 19.6% to 34.9%  
Current number of covered lives: 4,542  
Current number of policyholders: 253



Experience period revenue: \$11,960,895  
 Additional revenue from rate increase: \$3,987,212

Company name: First Priority Life Insurance Company  
 Market: Individual  
 Product: PPO  
 Average rate change: 38.8% and \$132 pmpm  
 Range of rate change: 38.8% to 38.8%  
 Current number of covered lives: 833  
 Current number of policyholders: 608  
 Experience period revenue: \$170 million  
 Additional revenue from rate increase: \$1.3 million

Company name: Highmark Health Insurance Company  
 Market: Individual  
 Product: PPO  
 Average rate change: 48.1% and \$238 pmpm  
 Range of rate change: 32.2% to 114.1%  
 Current number of covered lives: 20,327  
 Current number of policyholders: 13,253  
 Experience period revenue: \$144 million  
 Additional revenue from rate increase: \$58.1 million

Company name: Highmark Health Insurance Company  
 Market: Small Group  
 Products: PPO, HDHP-PPO, EPO and Flex Blue PPO  
 Average rate change: 1.85% and \$11.14 pmpm  
 Range of rate change: -3.5% to 5.8%  
 Current number of covered lives: 1,027  
 Current number of policyholders: 584  
 Experience period revenue: \$459 million  
 Additional revenue from rate increase: \$300,000

Company name: Highmark, Inc. d/b/a Highmark Blue Cross Blue Shield (Western PA)  
 Market: Individual  
 Product: PPO, EPO  
 Average rate change: 38.4% and \$110 pmpm  
 Range of rate change: 26.0% to 55.6%  
 Current number of covered lives: 38,559  
 Current number of policyholders: 27,497  
 Experience period revenue: \$760 million  
 Additional revenue from rate increase: \$50.8 million

Company name: Highmark, Inc. (Western PA)  
 Market: Small Group  
 Product: PPO, HDHP-PPO, EPO  
 Average rate change: 5.73% and \$25.74 pmpm  
 Range of rate change: -1.1% to 8.5%  
 Current number of covered lives: 15,580  
 Current number of policyholders: 8,754  
 Experience period revenue: \$93.7 million  
 Additional revenue from rate increase: \$4.4 million

Company name: Highmark Benefits Group  
 Market: Small Group  
 Product: PPO, EPO, HDHP-PPO  
 Average rate change: 6.08% and \$35.27 pmpm  
 Range of rate change: -0.30% to 10.10%  
 Current number of covered lives: 8,574  
 Current number of policyholders: 4,848  
 Experience period revenue: \$36.6 million  
 Additional revenue from rate increase: \$5.1 million

Company name: Highmark Choice Company (formerly Keystone Health Plan West)  
 Market: Individual  
 Product: HMO  
 Average rate change: 44.8% and \$185.71 pmpm  
 Range of rate change: 44.8% to 44.8%  
 Current number of covered lives: 302  
 Current number of policyholders: 206  
 Experience period revenue: \$1 million  
 Additional revenue from rate increase: \$672,000

Company name: Highmark Choice Company (formerly Keystone Health Plan West)  
 Market: Small Group  
 Product: HMO  
 Average rate change: 1.92% and \$13.70 pmpm  
 Range of rate change: 1.92% to 1.92%  
 Current number of covered lives: 5  
 Current number of policyholders: 4  
 Experience period revenue: \$781,821  
 Additional revenue from rate increase: \$23,000

Company name: Highmark Coverage Advantage  
 Market: Small Group  
 Product: PPO and HDHP-PPO  
 Average rate change: -3.83% and -\$25.00 pmpm  
 Range of rate change: -12.60% to -1.60%  
 Current number of covered lives: 1,927  
 Current number of policyholders: 1,020  
 Experience period revenue: \$10.9 million  
 Additional revenue from rate increase: -\$200,000

Company name: Highmark Select Resources  
 Market: Individual  
 Product: PPO  
 Average rate change: 25.4% and \$111 pmpm  
 Range of rate change: 13.9% to 35.0%  
 Current number of covered lives: 1,298  
 Current number of policyholders: 763  
 Experience period revenue: \$0  
 Additional revenue from rate increase: \$1.7 million

Company name: First Priority Health HMO (Northeastern PA)  
 Market: Individual  
 Product: HMO  
 Average rate change: N/A  
 Range of rate change: N/A  
 Current number of covered lives: N/A  
 Current number of policyholders: N/A  
 Experience period revenue: \$ N/A  
 Additional revenue from rate increase: \$ N/A

Company name: UPMC Health Coverage, Inc.  
 Market: Small Group  
 Product: HMO  
 Average rate change: 6.7% and \$15.50 pmpm  
 Range of rate change: 5.9% to 8.3%  
 Current number of covered lives: 1,197  
 Current number of policyholders: 711  
 Experience period revenue: \$8,381,647  
 Additional revenue from rate increase: \$615,400

Company name: UPMC Health Coverage, Inc.  
 Market: Individual  
 Product: HMO  
 Average rate change: 0.9% and \$1.89 pmpm  
 Range of rate change: 0.9% to 0.9%  
 Current number of covered lives: 7  
 Current number of policyholders: 5  
 Experience period revenue: \$41,884  
 Additional revenue from rate increase: \$159

Company name: United Healthcare Insurance Company  
 Market: Small Group  
 Product: Indemnity, EPO and PPO  
 Average rate change: 4.23% and \$16.16 pmpm  
 Range of rate change: -3.1% to 15.3%  
 Current number of covered lives: 15,520  
 Current number of policyholders: 1,044  
 Experience period revenue: \$71,450,594  
 Additional revenue from rate increase: \$4,040,017



Company name: First Priority Life Insurance Company  
 Market: Small Group  
 Product: PPO  
 Average rate change: 11.1% and \$57.00 pmpm  
 Range of rate change: -7.6% to 17.5%  
 Current number of covered lives: 4,448  
 Current number of policyholders: 2,837  
 Experience period revenue: \$18,351,831  
 Additional revenue from rate increase: \$3.04 million

For the following filings, all interested parties are invited to submit written or e-mail comments, suggestions or objections to Rashmi Mathur, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [rmathur@pa.gov](mailto:rmathur@pa.gov) by July 22, 2016.

Company name: Geisinger Health Plan  
 Market: Individual  
 Product: HMO and POS  
 Average rate change: 41.2% and \$194.26 pmpm  
 Range of rate change: 29.6% to 74.9%  
 Current number of covered lives: 25,021  
 Current number of policyholders: 17,872  
 Experience period revenue: \$92,056,264  
 Additional revenue from rate increase: \$58,325,726

Company name: Geisinger Health Plan  
 Market: Small Group  
 Product: HMO and POS  
 Average rate change: 9.3% and \$46.05 pmpm  
 Range of rate change: -8.9% to 13.9%  
 Current number of covered lives: 9,561  
 Current number of policyholders: 5,736  
 Experience period revenue: \$74,001,235  
 Additional revenue from rate increase: \$5,283,974

Company name: Geisinger Quality Options  
 Market: Individual  
 Product: PPO  
 Average rate change: 40.7% and \$192.65 pmpm  
 Range of rate change: 35.0% to 73.0%  
 Current number of covered lives: 6,314  
 Current number of policyholders: 4,380  
 Experience period revenue: \$30,294,687  
 Additional revenue from rate increase: \$14,597,052

Company name: Geisinger Quality Options  
 Market: Small Group  
 Product: PPO  
 Average rate change: 5.2% and \$26.32 pmpm  
 Range of rate change: -0.6% to 7.1%  
 Current number of covered lives: 3,974  
 Current number of policyholders: 2,302  
 Experience period revenue: \$115,044,557  
 Additional revenue from rate increase: \$1,255,206

Company name: Keystone Health Plan East  
 Market: Individual  
 Product: HMO  
 Average rate change: 19.9% and \$78.25 pmpm  
 Range of rate change: 3.4% to 39.8%  
 Current number of covered lives: 129,928  
 Current number of policyholders: 86,467  
 Experience period revenue: \$467,044,692  
 Additional revenue from rate increase: \$92,941,894

Company name: Keystone Health Plan East  
 Market: Small Group  
 Product: HMO  
 Average rate change: 3.7% and \$18.64 pmpm  
 Range of rate change: 1.2% to 5.8%  
 Current number of covered lives: 125,640  
 Current number of policyholders: 73,044  
 Experience period revenue: \$616,774,973  
 Additional revenue from rate increase: \$22,820,674

Company name: QCC Insurance Company  
 Market: Individual  
 Product: PPO  
 Average rate change: 22.5% and \$117.89 pmpm  
 Range of rate change: 10.4% to 40.1%  
 Current number of covered lives: 53,629  
 Current number of policyholders: 33,691  
 Experience period revenue: \$308,952,050  
 Additional revenue from rate increase: \$69,514,211

Company name: QCC Insurance Company  
 Market: Small Group  
 Product: PPO  
 Average rate change: 4.35% and \$24.22 pmpm  
 Range of rate change: 3.6% to 11.2%  
 Current number of covered lives: 74,616  
 Current number of policyholders: 35,577  
 Experience period revenue: \$437,196,684  
 Additional revenue from rate increase: \$19,018,056

Company name: Freedom Life Insurance Company  
 Market: Individual  
 Product: PPO  
 Average rate change: 9.95% and \$41.70 pmpm  
 Range of rate change: 9.95% to 9.95%  
 Current number of covered lives: 0  
 Current number of policyholders: 0  
 Experience period revenue: \$0  
 Additional revenue from rate increase: \$0

Company name: National Foundation Life Insurance Company  
 Market: Individual  
 Product: PPO  
 Average rate change: 9.95% and \$42.93 pmpm  
 Range of rate change: 9.95% to 9.95%  
 Current number of covered lives: 0  
 Current number of policyholders: 0  
 Experience period revenue: \$0  
 Additional revenue from rate increase: \$0

Company name: UPMC Health Options  
 Market: Individual  
 Product: PPO and EPO  
 Average rate change: 16.2% and \$28.45 pmpm  
 Range of rate change: 13.6% to 18.5%  
 Current number of covered lives: 110,825  
 Current number of policyholders: 76,541  
 Experience period revenue: \$192,348,466  
 Additional revenue from rate increase: \$40,809,723

Company name: UPMC Health Options  
 Market: Small Group  
 Product: PPO and EPO  
 Average rate change: 5.3% and \$14.12 pmpm  
 Range of rate change: 0.1% to 23.1%  
 Current number of covered lives: 8,032  
 Current number of policyholders: 4,606  
 Experience period revenue: \$522,524,157  
 Additional revenue from rate increase: \$4,783,328

For the following filings, all interested parties are invited to submit written or e-mail comments, suggestions or objections to Michael Gurgiolo, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [mgurgiolo@pa.gov](mailto:mgurgiolo@pa.gov) by July 22, 2016.

Company name: Aetna Health, Inc.  
 Market: Individual  
 Product: HMO  
 Average rate change: 17.2% and \$39.48 pmpm  
 Range of rate change: 2.6% to 30.4%  
 Current number of covered lives: 47,305

Current number of policyholders: 32,892  
 Experience period revenue: \$71.4 million  
 Additional revenue from rate increase: \$25.5 million  
 Company name: Aetna Health, Inc./Aetna Health Ins. Co.

Market: Small Group  
 Product: HMO, POS  
 Average rate change: 31.8% and \$105.77 pmpm  
 Range of rate change: -18.4% to 153.4%  
 Current number of covered lives: 10,431  
 Current number of policyholders: 6,065  
 Experience period revenue: \$61.7 million  
 Additional revenue from rate increase: \$19.6 million

Company name: Aetna HealthAssurance of PA  
 Market: Small Group  
 Product: PPO, Indemnity  
 Average rate change: 32.3% and \$111.64 pmpm  
 Range of rate change: 10.8% to 71.1%  
 Current number of covered lives: 26,468  
 Current number of policyholders: 15,043  
 Experience period revenue: \$109.6 million  
 Additional revenue from rate increase: \$35.5 million

Company name: Aetna Life Insurance Company  
 Market: Small Group  
 Products: PPO, Indemnity  
 Average rate change: 31.7% and \$51.82 pmpm  
 Range of rate change: 17.1% to 70.9%  
 Current number of covered lives: 6,123  
 Current number of policyholder: 3,201  
 Experience period revenue: \$20.7 million  
 Additional revenue from rate increase: \$6.7 million

For the following filings, all interested parties are invited to submit written or e-mail comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [jlaverty@pa.gov](mailto:jlaverty@pa.gov) by July 22, 2016.

Company name: Capital Advantage Assurance Company  
 Market: Small Group  
 Product: PPO  
 Average rate change: 4.3% and \$252.88 pmpm  
 Range of rate change: -2.4% to 17.9%  
 Current number of covered lives: 56,439  
 Current number of policyholders: 31,866  
 Experience period revenue: \$278.7 million  
 Additional revenue from rate increase: \$14.3 million

Company name: Capital Advantage Assurance Company  
 Market: Individual  
 Product: PPO  
 Average rate change: 27% and \$121.00 pmpm  
 Range of rate change: 3.6% to 34.4%  
 Current number of covered lives: 38,043  
 Current number of policyholders: 22,830  
 Experience period revenue: \$34.4 million  
 Additional revenue from rate increase: \$55.3 million

Company name: Capital Advantage Insurance Company  
 Market: Individual  
 Product: PPO  
 Average rate change: 21.1% and \$101.97 pmpm  
 Range of rate change: 21.1% to 21.1%  
 Current number of covered lives: 14  
 Current number of policyholders: 9  
 Experience period revenue: \$3.3 million  
 Additional revenue from rate increase: \$17,131

Company name: Capital Advantage Insurance Company  
 Market: Small Group  
 Product: PPO

Average rate change: 4.5% and \$291.86 pmpm  
 Range of rate change: 4.4% to 5.8%  
 Current number of covered lives: 46  
 Current number of policyholders: 44  
 Experience period revenue: \$1.7 million  
 Additional revenue from rate increase: \$13,426

Company name: Keystone Health Plan Central  
 Market: Individual  
 Product: HMO  
 Average rate change: 20.4% and \$69.67 pmpm  
 Range of rate change: -13.6% to 28.7%  
 Current number of covered lives: 37,479  
 Current number of policyholders: 26,852  
 Experience period revenue: \$8.2 million  
 Additional revenue from rate increase: \$31.3 million

Company name: Keystone Health Plan Central  
 Market: Small Group  
 Product: HMO  
 Average rate change: 8.0% and \$33.65 pmpm  
 Range of rate change: -4.6% to 39.1%  
 Current number of covered lives: 901  
 Current number of policyholders: 600  
 Experience period revenue: \$8.3 million  
 Additional revenue from rate increase: \$363,790

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 16-965. Filed for public inspection June 3, 2016, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Electric Generation Supplier License Cancellations of Companies with an Expired Financial Security

Public Meeting held  
May 19, 2016

*Commissioners Present:* Gladys M. Brown, Chairperson;  
Andrew G. Place, Vice Chairperson; John F. Coleman,  
Jr.; Robert F. Powelson

*Electric Generation Supplier License Cancellations of  
Companies with an Expired Financial Security;  
M-2015-2490383*

#### Tentative Order

*By the Commission:*

The Commission's regulations at 52 Pa. Code § 54.40(a) state that an Electric Generation Supplier (EGS) license will not be issued or remain in force until the licensee furnishes a bond or other security approved by the Commission. In addition, 52 Pa. Code § 54.40(d) states that the maintenance of an EGS license is contingent on the licensee providing proof to the Commission that a bond or other approved security in the amount directed by the Commission has been obtained.

Each EGS must file an original bond, letter of credit, continuation certificate, amendment, or other approved financial instrument with Rosemary Chiavetta, Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120 prior to the EGS's current security expiration date. Each financial instrument must be an original document that displays a "wet" signature or digital signature, preferable in blue ink, and displays a

“raised seal” or original notary stamp. The name of the principal on the original financial instrument must match exactly with the name that appears on the EGS’s license issued by the Commission.

Failure to file before the financial security’s expiration date may cause Commission staff to initiate a formal proceeding that may lead to the following: cancellation of each company’s electric supplier license, removal of each company’s information from the Commission’s website

and notification to all electric distribution companies, in which each company is licensed to do business, of the cancellation of the license.

As of May 10, 2016, each EGS listed in the Supplier Table below has not provided proof to the Commission that it has a bond or other approved security in the amount directed by the Commission, to replace its expired bond as noted in the table below.

*Supplier Table—List of Electric Generation Suppliers*

<i>Docket Number</i>	<i>Company Name</i>	<i>Exp. Date</i>
A-2014-2455005	American Utility Management, Inc.	4/28/2016
A-2012-2338686	Definitive Energy Group, Inc.	5/9/2016
A-2010-2179537	EMEX, LLC	5/6/2016
A-2009-2114759	Metromedia Power, Inc.	4/17/2016
A-2015-2500554	Titan Energy New England, Inc.	4/14/2016

\* Taking title to electricity

As part of its EGS license validation procedures, the Commission’s Bureau of Technical Utility Services sent a 60-day Security Renewal Notice Letter to each entity in the Supplier Table above stating that original documentation of a bond, or other approved security, must be filed within 60 days prior to each entity’s security expiration date. None of the companies listed in the Supplier Table provided the required documentation.

Based on the above facts, we tentatively conclude that the EGSs listed in the Supplier Table are not in compliance with 52 Pa. Code § 54.40(a) and (d) and therefore it is appropriate to initiate the cancellation process for each EGS license of each company listed in the Supplier Table, without the necessity of a formal complaint, as being in the public interest; *Therefore,*

*It Is Ordered That:*

1. Cancellation of the Electric Generation Supplier Licenses of each company listed in the Supplier Table is hereby tentatively approved as being in the public interest.

2. The Secretary serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Bureau of Investigation & Enforcement, Department of Revenue—Bureau of Corporation Taxes, all electric distribution companies, all of the Electric Generation Suppliers in the Supplier Table and also cause a copy of this Tentative Order to be published in the *Pennsylvania Bulletin* with a 30-day comment period.

3. Absent the filing of adverse public comment or the filing of approved security within 30 days after publication in the *Pennsylvania Bulletin*, the Bureau of Technical Utility Services shall prepare a Final Order for entry by the Secretary.

4. Upon entry of the Final Order described in Ordering Paragraph No. 3 above, each company listed in the Supplier Table will be stricken from all active utility lists maintained by the Commission’s Bureau of Technical Utility Services and the Assessment Section of the Bu-

reau of Administration, removed from the Commission’s website, and notifications be sent to all electric distribution companies in which the Electric Generation Suppliers are licensed to do business.

5. Upon entry of the Final Order described in Ordering Paragraph No. 3, each electric distribution company in which the Electric Generation Suppliers are licensed to do business, shall return the customers of the Electric Generation Suppliers to default service.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 16-966. Filed for public inspection June 3, 2016, 9:00 a.m.]

**Investigation of Pennsylvania’s Retail Electric Market**

Public Meeting held  
May 19, 2016

*Commissioners Present:* Gladys M. Brown, Chairperson; Andrew G. Place, Vice Chairperson; John F. Coleman, Jr.; Robert F. Powelson

*Investigation of Pennsylvania’s Retail Electric Market;  
I-2011-2237952; L-2014-2409383*

**Tentative Order**

Before the Pennsylvania Public Utility Commission (Commission) is a recommendation from the Commission’s Office of Competitive Market Oversight (OCMO) to provide electric distribution companies (EDCs) with a three-year waiver of the Commission’s regulations at 52 Pa. Code § 57.173(2) in situations where a customer is requesting an instant connect. An instant connect is the initiation of supply service on the first day of new utility service, without the customer first having to go on EDC-provided default service. Through this Tentative Order, we seek public comment regarding OCMO’s proposal.



### Background

By order entered on April 29, 2011, the Commission launched its Investigation of Pennsylvania's Retail Electricity Market (Electric RMI), directing OCMO to develop recommendations for improvements to ensure that a properly functioning and workable competitive retail electricity market exists in Pennsylvania.<sup>1</sup> On February 15, 2013, the Commission entered its Electric RMI Final Order (RMI Final Order).<sup>2</sup> In its RMI Final Order, this Commission instructed EDCs to submit, by the end of 2013, plans outlining the implementation of seamless moves<sup>3</sup> and instant connects in their service territories by June 1, 2015.

Pursuant to the Commission's RMI Final Order, Duquesne Light Company (Duquesne); Metropolitan Edison Company (Met-Ed), Pennsylvania Electric Company (Penelec), Pennsylvania Power Company (Penn Power) and West Penn Power (West Penn) (collectively, FirstEnergy); PECO Energy Company (PECO); Pike County Light and Power Company (PCL&P); PPL Electric Utilities Corporation (PPL); and UGI Utilities, Inc.—Electric Division (UGI) submitted compliance filings in December of 2013.<sup>4</sup> Citizens' Electric Company of Lewisburg, PA and Wellsboro Electric Company were provided with a temporary waiver of the seamless moves and instant connects directives.<sup>5</sup>

Subsequent events caused the Commission to modify the implementation timelines for these new market enhancements. Specifically, on April 3, 2014, the Commission promulgated new regulations directing the EDCs to develop three-business day supplier switching timeframes.<sup>6</sup> Implementation of the three-business day switch went into effect on December 14, 2014. The Commission acknowledged that the implementation of three-business day supplier switching required significant effort by the EDCs and that the timely development of three-business day switching was a priority over instant connects and seamless moves. Therefore, this Commission, via an August 13, 2014 Secretarial Letter, permitted the EDCs to delay the development of instant connects and seamless moves if an EDC determined that developing these processes could hinder or delay the development of three-business day supplier switching.<sup>7</sup>

On March 20, 2015, the Commission issued a Secretarial Letter directing EDCs to file revised plans to implement, by June 1, 2016, seamless moves and instant connects.<sup>8</sup> EDCs were directed to demonstrate in their

plans how they will achieve seamless moves and instant connects and their timeframes for meeting a July 1, 2016 implementation deadline. Each plan was also expected to include an estimate of the costs to design, test, implement and maintain seamless moves and instant connects, and proposals for the recovery of those costs. The EDCs submitted their revised plans on April 20, 2015.<sup>9</sup>

### Discussion

In preparation for the implementation of the seamless move and instant connect functionalities in July and September of 2016, OCMO has engaged in routine, informal calls with the EDCs to obtain progress updates. Through these calls, OCMO became aware of a potential issue regarding the requirement that EDCs provide confirmation letters in instant connect situations. Specifically, the Commission's regulations at 52 Pa. Code § 57.173(2) state the following:

**§ 57.173. Customer contacts the EGS to request a change in electric supply service.**

When a customer contacts an EGS to request a change from the current EGS or default service provider to a new selected EGS, the following actions shall be taken by the selected EGS and the customer's EDC:

(1) The selected EGS shall notify the EDC of the customer's EGS selection at the end of the 3-day business rescission period under § 54.5(d) (relating to disclosure statement for residential and small business customers) or a future date specified by the customer. The selected EGS may notify the EDC by the end of the next business day following the customer contact upon customer consent.

(2) Upon receipt of this notification, or notification that the customer has authorized a switch to default service, the EDC shall send the customer a confirmation letter noting the proposed change of EGS or change to default service. The notice must include the date service with the new selected EGS or default service provider will begin. *The letter shall be mailed by the end of the next business day following the receipt of the notification of the customer's selection of an EGS or default service provider.*

52 Pa. Code § 57.173 (Emphasis added).

As previously noted, instant connects are the initiation of supply service on the first day of new utility service, without the customer first having to go on EDC-provided default service. Frequently, customers notify their new utility in advance of moving into their new residence/business to ensure the availability of electric service when they move. Customers may also notify their selected EGS in advance of moving, to ensure they are receiving their competitive supply service as soon as possible at their new location. In such a scenario, as outlined in the regulations, an EDC would be required to mail, by the end of the next business day, a confirmation letter to the mailing address on the new account. 52 Pa. Code

<sup>1</sup> See Investigation of Pennsylvania's Retail Electricity Market, Docket No. I-2011-2237952 (Order entered Apr. 29, 2011).

<sup>2</sup> See Investigation of Pennsylvania's Retail Electricity Market: End State of Default Service, Docket No. I-2011-2237952 (Final Order entered Feb. 15, 2013).

<sup>3</sup> A seamless move is the ability of a customer's choice of supplier to move with the customer to a new address within a single service territory without interruption.

<sup>4</sup> See PECO Energy Company's Plan for Accomplishing Seamless Moves and Instant Connects, Docket No. M-2014-2401085 (Filed Dec. 18, 2013); Summary Plan for the Implementation of Seamless Moves and Instant Connects—UGI Utilities, Inc.—Electric Division, Docket No. M-2014-2401126 (Filed Dec. 20, 2013); Pike County Light & Power Company's Plan to Implement Seamless Moves and Instant Connects, Docket No. M-2014-2401119 (Filed Dec. 30, 2013); Seamless Moves/Instant Connects Implementation Plan for Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company and West Penn Power Company, Docket Nos. M-2014-2401130, M-2014-2401155, M-2014-2401151 and M-2014-2401148 (Filed Dec. 31, 2013); Duquesne Light Company's Compliance Filing Regarding Implementation of Seamless Moves and Instant Connects, Docket No. M-2014-2401127 (Filed Dec. 31, 2013); PPL Electric Utilities Corporation Compliance Filing Plan for Implementing Seamless Moves and Instant Connects, Docket No. M-2014-2401103 (Filed Dec. 31, 2013).

<sup>5</sup> See Joint Petition of Citizens' Electric Company of Lewisburg, PA and Wellsboro Electric Company for their Default Service Program for the Period June 1, 2015 through May 31, 2018, Docket Nos. P-2014-2425024 and P-2014-2425245 (Opinion and Order entered Feb. 27, 2015).

<sup>6</sup> See Rulemaking to Amend the Provisions of 52 Pa. Code, Chapter 57 Regulations Regarding Standards for Changing a Customer's Electricity Generation Supplier, Docket L-2014-2409383 (Final-Omitted Rulemaking Order entered Apr. 3, 2014).

<sup>7</sup> See EDC plan filings for Seamless Moves and Instant Connects, Docket No. M-2014-2401127 (Secretarial Letter served Aug. 13, 2014).

<sup>8</sup> See EDC plan filings for Seamless Moves and Instant Connects, Docket No. M-2014-2401127 (Secretarial Letter served Mar. 20, 2015).

<sup>9</sup> See Duquesne Light Company's Revised Plan Regarding Implementation of Seamless Moves and Instant Connects, Docket No. M-2014-2401127 (Filed Apr. 20, 2015); Seamless Moves/Instant Connects Revised Implementation Plan for Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company and West Penn Power Company, Docket Nos. M-2014-2401130, M-2014-2401155, M-2014-2401151 and M-2014-2401148 (Filed Apr. 20, 2015); PECO Energy Company's Revised Plan for Accomplishing Seamless Moves and Instant Connects, Docket No. M-2014-2401085 (Filed Apr. 20, 2015); Pike County Light & Power Company's Plan to Implement Seamless Moves and Instant Connects, Docket No. M-2014-2401119 (Filed Apr. 20, 2015); PPL Electric Utilities Corporation Compliance Filing Plan for Implementing Seamless Moves and Instant Connects for Metered Accounts, Docket No. M-2014-2401103 (Filed Apr. 20, 2015); UGI Utilities, Inc.—Electric Division Revised Plan for Implementing Seamless Moves and Instant Connects, Docket No. M-2014-2401126 (Filed Apr. 20, 2015).



§ 57.173(2). In an instant connect scenario, that mailing address will most likely be the new residence/business where the customer will be receiving service. In many instances, the customer will not yet reside or be operating at that new residence. Therefore, the letter would either be delivered to someone other than the customer of record or be returned to the utility.

This inability to provide the confirmation letter directly to the appropriate customer defeats the purpose of the letter. Therefore, we propose the provision outlined at 52 Pa. Code § 57.173(2) be temporarily waived in instant connect scenarios for a period of no longer than three years. During this three-year waiver period, the confirmation letter shall be mailed by the end of the next business day after the start of service at the new account location. In such cases, it is anticipated that the customer will be in residence or operating at the new location and able to receive the confirmation letter directly.

We propose a three-year waiver period in order to provide adequate time to observe the implementation of both instant connects and seamless moves to determine if the notification process proposed in this waiver is adequate and appropriate. We anticipate modifying the regulations in Chapter 57 to reflect an environment that includes seamless moves and instant connects, but believe an appropriate amount of time must be afforded to implement and review these procedures before establishing a new binding norm.

#### *Conclusion*

Through this Tentative Order, the Commission proposes a temporary waiver of its regulations at 52 Pa. Code § 57.173(2) regarding the EDC provision of confirmation letters in instances in which a customer requests an instant connect. We propose this waiver solely for instant connect scenarios. The waiver will be effective for a time period no more than three years in order to allow for the implementation and review of the instant connect and seamless move procedures before initiating any proposed rulemakings.

*Therefore,*

*It Is Ordered That:*

1. This Tentative Order be served on all jurisdictional Electric Distribution Companies, all licensed Electric Generation Suppliers, the Bureau of Investigation and Enforcement, the Office of Consumer Advocate, the Office of Small Business Advocate and the parties who filed comments at Docket Nos. I-2011-2237952 and L-2014-2409383.

2. The Law Bureau shall submit this Tentative Order to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. Interested parties shall have 30 days from the entry date of this Tentative Order to file written comments referencing Docket No. I-2011-2237952 with the Pennsylvania Public Utility Commission, Attention: Secretary, P.O. Box 3265, Harrisburg, PA 17105-3265. Comments may also be filed electronically through the Commission's e-File System.

4. A copy of this Order be posted on the Commission's website at the Office of Competitive Market Oversight's web page at [http://www.puc.pa.gov/utility\\_industry/electricity/electric\\_competitive\\_market\\_oversight.aspx](http://www.puc.pa.gov/utility_industry/electricity/electric_competitive_market_oversight.aspx).

5. The Office of Competitive Market Oversight shall electronically serve a copy of this Tentative Order on all persons on the contact list for the Committee Handling Activities for Retail Growth in Electricity.

6. The contact person for technical issues related to this Tentative Order is Megan Good, 717-425-7583 or [megagood@pa.gov](mailto:megagood@pa.gov). The contact person for legal and process issues related to this Tentative Order is Jenneddy Johnson, 717-265-8423 or [jennejohns@pa.gov](mailto:jennejohns@pa.gov).

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 16-967. Filed for public inspection June 3, 2016, 9:00 a.m.]

### **Microgrid Integrated Technology Pilot Plan; Prehearing Conference**

**P-2016-2546452. PECO Energy Company.** Petition of PECO Energy Company (PECO) for: (1) approval of its Microgrid Integrated Technology Pilot Plan; and (2) issuance of a declaratory order regarding the recovery of microgrid costs.

**A-2016-2546450.** Application for construction of microgrid distributed energy resources fueled by natural gas.

PECO is taking major steps to advance the regional power grid and build a smarter energy infrastructure for its customers in Southeastern Pennsylvania. As part of this effort, PECO has requested Pennsylvania Public Utility Commission (Commission) approval to pilot an innovative microgrid in Concord Township, Delaware County. Microgrids are self-contained, small-scale power grids with dedicated, onsite distributed energy resources (DER) that can provide power to customers independently when needed (such as following a severe storm). PECO's microgrid will island and safely disconnect a section of the distribution system from the grid during emergency situations. While in island mode, the microgrid will continue to provide power to customers connected to the microgrid. When the grid is restored, the microgrid will reconnect to the distribution system. Accordingly, PECO is filing a petition and a related application seeking approval to implement PECO's Microgrid Integrated Technology Pilot (Pilot).

As more fully explained in the filing, PECO is exploring emerging microgrid technology investment opportunities to enhance system reliability and resiliency. The microgrid will focus on improving the distribution system's ability to sustain and recover from adverse events, including severe weather, and on providing reliable access to essential services during power outages. To accomplish this, PECO will construct, own and operate the community microgrid. PECO also will share lessons learned from the Pilot to create a roadmap for the deployment of future microgrids and the integration of DERs that maximize public benefits.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, Second Floor, Commonwealth Keystone Building, Harrisburg, PA 17120, with a copy served on Administrative Law Judge Eranda Vero, Administrative Law Judge Cynthia W. Fordham and PECO, on or before June 20,

2016. The documents filed in support of the petition are available for inspection and copying at the Secretary's Bureau of the Commission from 8 a.m. to 4:30 p.m., Monday through Friday, and can also be reviewed at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) or at the petitioner's business address.

*Petitioner/Applicant:* PECO Energy Company

*Through and By Counsel:* Thomas P. Gadsden, Kenneth M. Kulak, Brooke E. McGlinn, Morgan, Lewis & Bockius, LLP, 1701 Market Street, Philadelphia, PA 19103-2921; and Romulo L. Diaz, Jr. and Michael S. Swerling, PECO Energy Company, 2301 Market Street, P.O. Box 8699, Philadelphia, PA 19101-8699

### **Petition and Application of PECO Energy Company**

PECO is filing a petition and a related application as the basis for a Pilot for which PECO will construct, own and operate a community microgrid in its service territory.

### **Initial Call-In Telephonic Prehearing Conference**

A prehearing conference by telephone on the previously-captioned case will be held as follows:

*Date:* Wednesday, June 22, 2016

*Time:* 2 p.m.

*Location Philadelphia Parties:* In an available 4th Floor Hearing Room (take one of the last four elevators at the far end of the lobby)  
801 Market Street (enter on 8th Street)  
Philadelphia, PA 19107

*Location: Harrisburg Parties:* Hearing Room 4  
Plaza Level  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA

*Presiding:* Administrative Law Judge Eranda Vero  
Administrative Law Judge Cynthia W. Fordham  
Suite 4063  
801 Market Street  
Philadelphia, PA 19107  
(215) 560-2105  
Fax: (215) 560-3133

At the previously listed date and time, individuals must call into the prehearing conference. Individuals will not be called by the Administrative Law Judge.

To participate in the hearing, individuals must:

- Dial the toll-free number.
- Enter the following PIN number when instructed to do so.
- Speak the individual's name when prompted.

The telephone system will connect callers to the hearing.

Toll-free bridge number: (855) 750-1027

PIN number: 846648

Individuals representing themselves are not required to be represented by an attorney. All others (corporation, partnership, association, trust or governmental agency or subdivision) must be represented by an attorney. Representing attorneys should file a Notice of Appearance before the scheduled hearing date.

Persons with a disability who wish to attend the hearing should contact the Commission to make arrangements for their special needs. Call the scheduling office at the Commission at least 5 business days prior to the hearing to submit a request.

For persons who require an interpreter to participate in the hearings, the Commission will make every reasonable effort to have an interpreter present. Call the scheduling office at the Commission at least 10 business days prior to the hearing to submit a request.

- Scheduling Office: (717) 787-1399

- Pennsylvania AT&T Relay Service number for persons who are deaf or hearing-impaired: (800) 654-5988

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 16-968. Filed for public inspection June 3, 2016, 9:00 a.m.]

### **Recalculation of the Pennsylvania Telecommunications Relay Service Surcharge**

Public Meeting held  
May 19, 2016

*Commissioners Present:* Gladys M. Brown, Chairperson; Andrew G. Place, Vice Chairperson; John F. Coleman, Jr., Commissioner; Robert F. Powelson, Commissioner

*Recalculation of the Pennsylvania Telecommunications Relay Service Surcharge; M-2016-2522493; M-00900239*

### **Order**

*By the Commission:*

Pursuant to our May 29, 1990 Order, at Docket No. M-00900239 establishing the Pennsylvania Telephone Relay Service (Relay)<sup>1</sup> and surcharge funding mechanism (TRS surcharge) and subsequent Commission orders and legislation,<sup>2</sup> we have completed the annual recalculation of the TRS surcharge as it will apply to residence and business wireline access lines for July 1, 2016, through June 30, 2017. The monthly residential and business monthly access line surcharge will remain set at \$0.08.

### **Background**

The annual TRS recalculation is dependent on data from several sources. Local Exchange Carriers (LECs)<sup>3</sup> submit annual wireline access line counts pursuant to 52 Pa. Code § 63.37. The traditional relay provider, Hamilton Relay Inc.,<sup>4</sup> submitted the estimated minutes of use and charges for July 1, 2016, through June 30, 2017. Hamilton Telecommunications Company submitted the estimated minutes-of-use report for the Captioned Telephone Relay Service (CTRS). The Office of Vocational Rehabilitation (OVR), Department of Labor and Industry,

<sup>1</sup> Additional information on TRS may be found at [http://www.puc.pa.gov/utility\\_industry/telecommunications/telecommunications\\_relay\\_service.aspx](http://www.puc.pa.gov/utility_industry/telecommunications/telecommunications_relay_service.aspx)

<sup>2</sup> See Act 34 of 1995, 35 P.S. §§ 6701.1–6701.4 (the statutory provisions were amended by Act 181 of 2002 to be more inclusive of persons with disabilities), establishing the Telephone Device Distribution Program (TDDP) to be funded by the TRS surcharge and which codified Relay and use of the TRS surcharge funding mechanism; and Act 174 of 2004, 35 P.S. § 6701.3a, which established the Print Media Access System Program (PMASP) to be funded in part by the TRS surcharge. PMASP is a reading service for persons with certain vision and physical disabilities. The law is now called the "Universal Telecommunications and Print Media Access Act."

<sup>3</sup> LECs include both incumbent and competitive local exchange carriers.  
<sup>4</sup> Hamilton Relay Inc., (Hamilton) holds the TRS Certificate of Public Convenience to provide TRS throughout the Commonwealth of Pennsylvania. The Commission approved Hamilton's Application filed at A-2014-2447601 by order entered December 4, 2014.

submitted the 2016-2017 TDDP budget and the 2016-2017 PMASP budget. The surcharge also funds the TRS Advisory Board activities and Fund administration costs. U.S. Bank,<sup>5</sup> the Fund Administrator, provided a statement of the financial status of the Fund.<sup>6</sup>

#### *Calculation for 2016-2017*

Wireline access lines reported by LECs for 2015 and adjusted for Centrex lines are 4,934,709 (3,139,557 Residence and 1,795,152 Business). Based upon the number of access lines, projected program costs (Relay, CTRS, TDDP, and PMASP), anticipated Pennsylvania Telecommunications Relay Service Advisory Board<sup>7</sup> expenses, TRS Fund administration costs, and the financial status of the TRS Fund, the 2016-2017 monthly TRS surcharge rate for both residence and business access lines will continue to be set at \$0.08 per month. All LECs shall continue to remit TRS surcharge revenues to the Fund Administrator.<sup>8</sup> Since the 2016-2017 surcharge remains the same as the 2015-2016 rate of \$0.08, the filing of tariff supplements are not required.

Effective July 1, 2016, the monthly surcharge allocation for each fund account is as follows:<sup>9</sup>

	2016-2017	
	Monthly Surcharge Residence %	Percentage Business %
Relay	90.0	90.0
TDDP	5.0	5.0
PMASP	5.0	5.0
Total Percentage	100.0	100.0

#### *Operations for 2016-2017*

We shall continue our active oversight of the operations of the Pennsylvania Telecommunications Relay Service. Further, in accordance with 35 P.S. §§ 6701.3a & 4, we shall continue to collaborate with OVR and its TDDP administrator<sup>10</sup> to ensure adequate funding for distribution of TDDP equipment to qualified Pennsylvanians. Further, we shall continue to assist OVR in its mission to ensure adequate funding for PMASP.

#### *Audits*

The Commission's Bureau of Audits (Audits) has finalized and issued on July 7, 2015, the audit report at

<sup>5</sup> As a result of mergers, acquisitions, and name changes, Fund administration has been handled by Hamilton Bank (1990), CoreStates Bank N.A. (1995), First Union National Bank (1999), Wachovia Bank, N.A. (2002), and U.S. Bank Institutional Trust & Custody (2006).

<sup>6</sup> Separate accounts are maintained for the portions of the surcharge allocated to Relay, TDDP, and PMASP. Relay Advisory Board, CTRS, and outreach activities are funded from the Relay account; Fund administration draws from each respective account.

<sup>7</sup> The Pennsylvania Telecommunications Relay Service Advisory Board was established pursuant to Commission Order May 29, 1990. By Laws and quarterly meeting schedule can be found at: [http://www.puc.pa.gov/utility\\_industry/telecommunications/telecommunications\\_relay\\_service/trs\\_advisory\\_board.aspx](http://www.puc.pa.gov/utility_industry/telecommunications/telecommunications_relay_service/trs_advisory_board.aspx)

<sup>8</sup> U.S. Bank Institutional Trust & Custody, Attn: Amanda Brown-Poe, 300 Delaware Ave, Ste 901, Wilmington, DE 19801. The remittance is payable to the "PA Relay Service Fund" and designated for Relay. Wire instructions can be found on the remittance form. LECs will be notified by Commission Secretarial letter that US Bank's contact person and address is changing effective July 1, 2015.

<sup>9</sup> The TRS surcharge appears as a single line item on customers' bills but actually has three components (Relay, TDDP and PMASP).

<sup>10</sup> As of January 1, 2007, the TDD program is administered by Pennsylvania's Initiative on Assistive Technology (PIAT), Institute on Disabilities, Temple University (IDT).

Docket No. D-2014-2406981, for the TDDP and PMASP twelve-month periods ended June 30, 2013, and June 30, 2012.

The audit of the TRS Program (collection and disbursement of the TRS funds), for the twelve-month periods ended February 28, 2015, February 28, 2014, and February 28, 2013, is expected to begin in the next month.

#### *Service of Paper Copies*

In the past, our practice has been to serve the annual TRS surcharge recalculation order on every LEC in the Commonwealth, in addition to the service providers, Office of Vocational Rehabilitation, Office of Consumer Advocate, Office of Small Business Advocate, Pennsylvania Telephone Association, and the Fund Administrator. As proposed in the TRS Surcharge Recalculation order at Docket No M-2013-2341301, entered May 23, 2013, service of paper copies of the recalculation orders on the LECs will only henceforth be served if there is a change in the TRS surcharge or other provision in the order requiring that the LECs file a tariff change or take other action. As this order does not change the set surcharge rate or require any other tariff changes in response to this order, paper copies will not be served. Additionally, we will continue to publish the recalculation orders in the *Pennsylvania Bulletin* and on the Commission's website.

#### *Conclusion*

The Commission has completed the annual recalculation of the TRS Surcharge. The surcharge to be applied beginning July 1, 2016, through June 30, 2017, will remain at \$0.08 for residential and business access lines. We also note that paper copies of this order will not be served on the LECs as there is no change in the set surcharge rate or to impose new requirements on the LECs requiring tariff changes in response to this Order; *Therefore,*

#### *It Is Ordered That:*

1. For the period of July 1, 2016, through June 30, 2017, the monthly TRS surcharge rate shall be \$0.08 for residence and business, unless we take further action to revise the TRS surcharge prior to June 30, 2017.

2. All local exchange carriers are directed to use the attached blank form, which contains the new mailing address, to remit the monthly TRS surcharge collections to U.S. Bank, Institutional Trust & Custody. The entered Order and blank remittance form shall be posted to the PUC web site <http://www.puc.pa.gov>. All local exchange carriers are required to collect and remit the TRS surcharge revenue with the completed remittance form monthly by the 20th of each month.

3. A copy of this Order be published in the *Pennsylvania Bulletin*.

4. A copy of this Order be posted to the Commission's website.

ROSEMARY CHIAVETTA,  
*Secretary*

**REMITTANCE FORM FOR MONTHLY TRS SURCHARGE COLLECTIONS**

Effective July 1, 2016 through June 30, 2017

M-2016-2522493

All local exchange carriers are required to collect and remit the TRS surcharge revenue monthly, by the 20th of each month using the following format for the monthly remittance:

*Pennsylvania TRS Surcharge*

For the Month Ending \_\_\_\_\_

Number of Residential access lines \_\_\_\_\_  
 × \$0.08 per line \_\_\_\_\_

Allocated:

TRS Relay 90.0 percent \_\_\_\_\_  
 TDDP 5.0 percent \_\_\_\_\_  
 PMASP 5.0 percent \_\_\_\_\_

Number of Business access lines \_\_\_\_\_  
 × \$0.08 per line \_\_\_\_\_

Allocated:

TRS Relay 90.0 percent \_\_\_\_\_  
 TDDP 5.0 percent \_\_\_\_\_  
 PMASP 5.0 percent \_\_\_\_\_  
 Total Remittance \_\_\_\_\_

Make check payable to: Pennsylvania TRS Fund

Mail Report and payment to:	Wire Instructions:
U.S. Bank Institutional Trust & Custody Amanda Brown-Poe 300 Delaware Avenue, Suite 901 Wilmington DE 19801	BANK U.S. Bank N.A ADDRESS 60 Livingston Avenue, St Paul MN 55107-2292 ABA 091 000 022 BNF ITC Depository South & East ACCOUNT 173 103 781 832 OBI PA Relay ATTN: Amanda Brown-Poe

Remittance for:

Company Name: \_\_\_\_\_

Utility Code: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Voice Phone Number: (\_\_\_\_) \_\_\_\_\_ FAX: (\_\_\_\_) \_\_\_\_\_

E-mail address \_\_\_\_\_

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Please direct any questions regarding the TRS Surcharge remittance to Mr. Eric Jeschke at (717) 783-3850 or ejeschke@pa.gov.

[Pa.B. Doc. No. 16-969. Filed for public inspection June 3, 2016, 9:00 a.m.]

**Service of Notice of Motor Carrier Applications**

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it ap-

plies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by June 20, 2016. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.



**Application of the following for approval to begin operating as common carriers for transportation of persons as described under the application.**

**A-2016-2546879. Solitary Transportation, Inc. t/a STI Hazleton Transport** (P.O. Box 2438, 328 East Broad Street, Apartment 5, Hazleton, Luzerne County, PA 18201) for the right to transport as a common carrier, by motor vehicle, persons in paratransit service, from points in Luzerne County, to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 16-970. Filed for public inspection June 3, 2016, 9:00 a.m.]

**Service of Notice of Motor Carrier Formal Complaints**

Formal Complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due June 20, 2016, and must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. L & C Transport, LLC; Docket No. C-2016-2539807**

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to L & C Transport, LLC, (respondent) is under suspension effective March 25, 2016 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at P.O. Box 172, Shanksville, PA 15560-0172.
3. That respondent was issued a Certificate of Public Convenience by this Commission on November 05, 2014, at A-8917003.
4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance

with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8917003 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 4/26/2016

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility  
Services  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

**Pennsylvania Public Utility Commission; Bureau of  
Investigation and Enforcement v. Four Seasons  
Limousine Service, Inc.; Docket No. C-2016-2539822**

**COMPLAINT**

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Four Seasons Limousine Service, Inc., (respondent) is under suspension effective March 27, 2016 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 1524 McKean Street, Philadelphia, PA 19145-3006.

3. That respondent was issued a Certificate of Public Convenience by this Commission on December 19, 2008, at A-6410333.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-6410333 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**VERIFICATION**

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 4/26/2016

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

**NOTICE**

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility  
Services  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

**Pennsylvania Public Utility Commission; Bureau of  
Investigation and Enforcement v. Journey  
Signature Limousine, LLC; Docket No.  
C-2016-2541011**

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Journey Signature Limousine, LLC, (respondent) is under suspension effective April 11, 2016 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 1425 Beaver Ave, Monaca, PA 15061.

3. That respondent was issued a Certificate of Public Convenience by this Commission on September 04, 2015, at A-6417580.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-6417580 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I



expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 4/26/2016

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

#### NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

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Michael L. Swindler, Deputy Chief Prosecutor  
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Bureau of Investigation and Enforcement  
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Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of

insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 16-971. Filed for public inspection June 3, 2016, 9:00 a.m.]

### **UGI Utilities, Inc.—Electric Division Plan for Seamless Moves and Instant Connects**

Public Meeting held  
May 19, 2016

*Commissioners Present:* Gladys M. Brown, Chairperson;  
Andrew G. Place, Vice Chairperson; John F. Coleman,  
Jr.; Robert F. Powelson

*UGI Utilities, Inc.—Electric Division Plan for Seamless Moves and Instant Connects; M-2014-2401126*

#### **Final Order**

Before the Pennsylvania Public Utility Commission (Commission) is a recommendation from the Commission's Office of Competitive Market Oversight (OCMO) approving, with modifications, the plan of UGI Utilities, Inc.—Electric Division (UGI) for implementing seamless moves and instant connects in its service territory. A seamless move is the ability of a customer's choice of supplier to move with the customer to a new address within a single service territory without interruption. Instant connect is the ability of supply service to start on "day one" of new utility service, without the customer first having to go on default service.

#### *Background*

By order entered on April 29, 2011, the Commission launched its Investigation of Pennsylvania's Retail Electricity Market (Electric RMI), directing OCMO to develop recommendations for improvements to ensure that a properly functioning and workable competitive retail electricity market exists in Pennsylvania.<sup>1</sup> On February 15, 2013, the Commission entered its Electric RMI Final Order (RMI Final Order).<sup>2</sup> As part of the RMI Final

<sup>1</sup> See Investigation of Pennsylvania's Retail Electricity Market Order, Docket No. I-2011-2237952 (Order entered Apr. 29, 2011).

<sup>2</sup> See Investigation of Pennsylvania's Retail Electricity Market: End State of Default Service Final Order, Docket No. I-2011-2237952 (Order entered Feb. 15, 2013).



Order, the Commission instructed electric distribution companies (EDCs) to submit, by the end of 2013, plans for the implementation of seamless moves and instant connects in their service territories by June 1, 2015.

Pursuant to the Commission's RMI Final Order, UGI submitted, at the above-noted docket, a compliance filing on December 20, 2013, which detailed its plan to implement seamless moves and instant connects in its service territory by June 1, 2015. Subsequent events caused the Commission to modify the implementation timelines for these new market enhancements. Specifically, on April 3, 2014, the Commission promulgated new regulations directing the EDCs to develop three-business day supplier switching timeframes.<sup>3</sup> Implementation of the three-business day switch went into effect on December 14, 2014. The Commission acknowledged that the implementation of three-business day supplier switching required significant effort by the EDCs and that the timely development of three-business day switching was a priority over instant connects and seamless moves. As such, by means of an August 13, 2014 Secretarial Letter, the Commission permitted the EDCs to delay the development of instant connects and seamless moves if an EDC determined that developing these processes could hinder or delay the development of three-business day supplier switching.<sup>4</sup> In response, UGI, consistent with the directive in the Secretarial Letter, informally notified OCMO by email, on August 18, 2014, that it was postponing the implementation of seamless moves and instant connects.

On March 20, 2015, the Commission issued a Secretarial Letter directing EDCs, including UGI, to file revised plans to implement seamless moves and instant connects by July 1, 2016.<sup>5</sup> EDCs, in their plans, were directed to demonstrate how they will achieve seamless moves and instant connects and their timeframes for implementation to meet a July 1, 2016 implementation deadline. Each plan was also to include an estimate of the costs to design, test, implement and maintain seamless moves and instant connects, and proposals for the recovery of those costs. This Secretarial Letter also provided a 30-day comment period for responses to the filed plans. The Commission then committed to review the plans and comments to determine appropriate further actions with regard to the filed plans.

On April 20, 2015, UGI filed, at the above-noted docket, a revised plan to implement seamless moves and instant connects by July 1, 2016. The Office of Consumer Advocate (OCA), on May 28, 2015, submitted comments regarding UGI's revised plan.

#### *UGI's Plan*

UGI's plan includes eligibility requirements, procedures, timelines, cost estimates and cost recovery proposals.

#### *Seamless Moves*

For seamless moves, UGI proposes to allow eligible shopping customers to retain their current electric generation supplier (EGS) when moving within UGI's service territory provided that the customer meets each of the following criteria:

- Customer is identified as a UGI Choice customer.
- Customer is currently enrolled with an EGS at his/her old location and moving within the UGI service territory.
- Customers establishing a new account/location must be in the same rate class as the previous account/location. The following chart lists the eligible UGI customer rate schedules:

<i>Customer Group</i>	<i>Rate</i>	<i>Description</i>
Residential	R	Residential Service
	RTU	Residential—Time of Use
C&I	CWH	Controlled Off-Peak Water Heating
	GS-1	General Service—Demand less than 5 kilowatts (kW) and consumption less than 15,000 kilowatt-hours (kWh)
	GS-5	General Service—Volunteer Fire Company, Non-Profit Senior Center, Non-Profit Rescue Squad and Non-Profit Ambulance Service

UGI provides a flowchart outlining its proposed process for seamless moves. See Attachment A.

#### *Instant Connects*

For instant connects, UGI proposes to allow eligible shopping customers to obtain service from a chosen EGS when moving into UGI's service territory provided that the customer signs up for Choice and is in one of the following eligible UGI customer rate schedules:

<i>Customer Group</i>	<i>Rate</i>	<i>Description</i>
Residential	R	Residential Service
	RTU	Residential—Time of Use
C&I	CWH	Controlled Off-Peak Water Heating
	GS-1	General Service—Demand less than 5 kilowatts (kW) and consumption less than 15,000 kilowatt-hours (kWh)
	GS-5	General Service—Volunteer Fire Company, Non-Profit Senior Center, Non-Profit Rescue Squad and Non-Profit Ambulance Service

UGI provides a flowchart outlining its proposed process for instant connects. See Attachment B.

#### *Cost and Cost Recovery*

UGI estimates that the cost for changes to its legacy Customer Information System (CIS) to accommodate seamless moves and instant connects is approximately \$85,000. UGI notes that it is in the process of replacing its legacy CIS and, therefore, there will likely be additional incremental costs to configure the new CIS to accommodate seamless move and instant connect functionalities. UGI states that it reserves the right to petition for full cost recovery at a later date or to propose recovery of costs in a future base rate proceeding.

<sup>3</sup> See Rulemaking to Amend the Provisions of 52 Pa. Code, Chapter 57 Regulations Regarding Standards for Changing a Customer's Electricity Generation Supplier Final-Omitted Rulemaking Order, Docket L-2014-2409383 (Order Entered Apr. 3, 2014).

<sup>4</sup> See EDC plan filings for Seamless Moves and Instant Connects Secretarial Letter, Docket No. M-2014-2401127 (Served Aug. 13, 2014).

<sup>5</sup> See EDC plan filings for Seamless Moves and Instant Connects Secretarial Letter, Docket No. M-2014-2401127 (Served Mar. 20, 2015).

### Timeline

UGI estimates that it will take approximately 26 weeks to implement system changes to facilitate seamless moves

Month	16-Jan	16-Feb	16-Mar	16-Apr	16-May	16-Jun
Design						
Development						
Testing						
Training						

### Comments

OCA is in general agreement with the Commission's proposals related to instant connects and seamless moves. While it finds these processes to be reasonable, OCA asserts that certain issues should be addressed. OCA Comments at 2-3. OCA submits that every EGS customer who contacts the EDC to arrange a move should be informed of the seamless move process so that the customer is aware that they will retain the EGS at their new location unless the EGS determines that it will not continue to provide service at the new location. OCA further submits that EGSs should be required to send a confirmation letter to a customer informing the customer that the EGS will or will not continue service at the new location. OCA acknowledges that this may increase costs for EGSs, but believes that customers should be aware of how their service will be provided as their circumstances change. OCA Comments at 3-4.

Regarding EDC cost recovery, OCA submits that these costs should be recovered from the EGSs that benefit through maintaining the customer relationship and by establishing a contractual relationship at the time service is established. To the extent these costs are recovered from ratepayers, OCA submits that the costs should be recovered in a base rate case and that the Commission must carefully review these costs in such proceedings to ensure that they are just and reasonable. OCA Comments at 5-6.

### Resolution

Upon review of UGI's plan and the associated comments, this Commission remains convinced that seamless moves and instant connects are important enhancements to the competitive electric marketplace. These two items are, from a customer's perspective, ordinary and expected capabilities that have been hindered by current EDC account handling processes and information systems. A customer should not have to obtain new supplier service simply because they moved locations within an EDC's service territory. It is reasonable for customers to expect that their supplier choice and contract be simply "ported" to their new location. Likewise, customers should be able to start new service with a supplier without first going onto default service. The current system inappropriately elevates default service to a favored, primary service role. Instant connects will help end this undesirable practice.

We find most of the elements of UGI's revised plan for implementing seamless moves and instant connects reasonable and in conformity with our expectations.

In the proceedings regarding the revised plans filed by Duquesne, FirstEnergy, PECO and PPL, comments were filed by FirstEnergy Solutions (FES) regarding concerns about how customer relocation could result in significant

and instant connects. UGI provides the following chart which represents its high-level project schedule:

changes to the character of the service being used and thus possibly impacting existing contracts.<sup>6</sup> While FES did not file those same comments in this proceeding, we would like to maintain directives that are as consistent as possible across all EDC service territories. As noted in our Order regarding Duquesne's revised plan, we do not think the way to address FES's concern is to allow EGSs to unilaterally terminate contracts simply because a customer relocates.<sup>7</sup> Instead, as outlined in the Duquesne Order, we will carefully restrict the customer eligibility requirements for seamless moves. While we find UGI's proposed eligibility requirements in this regard to address some of the concern, we believe they are lacking certain specific limitations. As UGI proposes, seamless moves will be restricted to residential and small commercial/industrial customers that maintain the same rate class at the new service location. Further, as we approved in the Duquesne Order,<sup>8</sup> we direct UGI to require that the customer maintains the same supplier billing rate, billing option and tax exemption percentage. Additionally, as was approved in the Duquesne Order, we direct UGI to include a three-day gap/overlap limit in their eligibility requirements.<sup>9</sup>

With the additional requirements outlined herein, UGI's revised plan is sufficient to prevent customers from materially changing their contracts with EGSs simply by moving to a new location. We reiterate that these safeguards include limiting seamless moves to residential and small business accounts; requiring that the rate class remains unchanged; that the customer maintains the same supplier billing rate, billing option and tax exemption percentage; and that any gaps or overlap of service will be limited to three days. We are convinced that these robust safeguards will prevent a customer from significantly changing the characteristics of their service with an EGS as a result of a move to a new location.

In addition to the above safeguards, a supplier is always able to submit a drop request if they do not wish to serve the customer at a new location. We emphasize that any EGS which processes a customer drop in a seamless move environment should be doing so per the

<sup>6</sup> See Duquesne Light Company's Revised Plan Regarding Implementation of Seamless Moves and Instant Connects, Docket No. M-2014-2401127 (Filed Apr. 20, 2015) (hereinafter Duquesne Order); Seamless Moves/Instant Connects Revised Implementation Plan for Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company and West Penn Power Company, Docket Nos. M-2014-2401130, M-2014-2401155, M-2014-2401151 and M-2014-2401148 (Filed Apr. 20, 2015); PECO Energy Company's Revised Plan for Accomplishing Seamless Moves and Instant Connects, Docket No. M-2014-2401085 (Filed Apr. 20, 2015); Pike County Light & Power Company's Plan to Implement Seamless Moves and Instant Connects, Docket No. M-2014-2401119 (Filed Apr. 20, 2015); PPL Electric Utilities Corporation Compliance Filing Plan for Implementing Seamless Moves and Instant Connects for Metered Accounts, Docket No. M-2014-2401103 (Filed Apr. 20, 2015); UGI Utilities, Inc.—Electric Division Revised Plan for Implementing Seamless Moves and Instant Connects, Docket No. M-2014-2401126 (Filed Apr. 20, 2015).

<sup>7</sup> See Duquesne Order at page 10.

<sup>8</sup> Id.

<sup>9</sup> Id. at page 12.

terms and conditions of their existing agreement with the customer. Ideally, this should be addressed under the cancellation provisions of the disclosure or contract the EGS has with the customer. Existing supply agreements should not be adversely impacted by implementation of seamless moves with all of the foregoing protections in place.

To the extent that an EGS desires to expressly recognize the possibility of seamless moves in future contracts, they are free to do so. In addition, EGSs may pursue modification of existing contracts, with customer agreement. Regardless of the foregoing, it is the desire of the customer to retain the current supply terms and conditions that should control, subject to the EGS's ability to drop that customer consistent with the terms of the existing contract as mutually agreed to by both parties.

In response to customer notice issues raised by OCA, we will adopt the same measures as we did in the Duquesne Order and not require EGSs to send a confirmation letter to the customer stating that it will/will not continue to serve the customer at the new address.<sup>10</sup> EGSs are free to send such a notice to their customers, but requiring such a notice is unnecessary. We prefer the approach adopted in the Duquesne Order, where the EDC will inform the customer that his or her EGS supply service will seamlessly move to the new location (assuming eligibility requirements are met).<sup>11</sup> The customer does not have to authorize or take any additional actions for this to happen. We direct UGI to include this in its plan.

UGI notes that it will take approximately 26 weeks to implement seamless move and instant connect functionalities in its service territory. We recognize that with this Order, Commission action on UGI's plan has put it in a position in which it would not be able to implement seamless moves and instant connects by the July 1, 2016 implementation deadline. Twenty-six weeks following the entry date of this Order would be mid-November of 2016. Therefore, we direct UGI to implement seamless moves and instant connects no later than November 30, 2016.

However, this Commission recognizes that UGI is in the process of updating its legacy CIS. We also recognize that this Commission provided UGI with a temporary waiver of the requirement in 52 Pa. Code § 57.174 for multiple off-cycle, three-business day switching of metered accounts for the period from December 15, 2014, through September 15, 2015.<sup>12</sup> We directed UGI to implement its proposed manual off-cycle switching process by September 15, 2015, and we also granted a temporary waiver of the requirements of 52 Pa. Code §§ 56.2, 56.11 and 57.174 from the date UGI implements its manual off-cycle switching process through September 15, 2017.<sup>13</sup> While we believe it possible to implement seamless moves and instant connects during the period in which UGI performs manual off-cycle switching, timely development of full three-business day switching continues to be a high priority. Therefore, UGI may petition this Commission to delay implementation of seamless moves and instant connects if such implementation will significantly hinder UGI's ability to fully implement the requirements of 52 Pa. Code §§ 56.2, 56.11 and 57.174 by the September 15,

2017 deadline and/or if UGI believes there is a substantial benefit and also cost savings associated with coordinating seamless moves/instant connect implementation with the CIS upgrade.

Regarding cost recovery, we disagree with OCA's primary position that costs should be borne by the EGSs. While EGSs will obtain some benefit from these processes, customers will also benefit. The seamless move and instant connect functionality will not only benefit current shopping customers, it will be available for all eligible customers. These enhancements are permanent improvements that, to a large extent, are simply correcting an unacceptable status quo due to existing limitations in utility customer information systems. For these reasons, we agree with OCA's secondary position that these costs be included in base rates. The scrutiny of a base rate proceeding is the appropriate mechanism to ensure that utilities will recover only prudent and reasonably-incurred costs. As OCA points out, this is consistent with recent Commission decisions on the costs associated with accelerated switching. It is also consistent with our decision in the Duquesne Order.<sup>14</sup>

### Conclusion

The Commission approves UGI's plan filed on April 20, 2015, as modified by this Order, for implementing seamless moves and instant connects in its service territory. We direct UGI to implement seamless moves and instant connects in its service territory no later than November 30, 2016.

Therefore,

### *It Is Ordered That:*

1. UGI Utilities, Inc.—Electric Division's plan filed with the Commission on April 20, 2015, to implement seamless moves and instant connects in its service territory is approved as modified by this Order.

2. Within 10 days of the entry date of this Final Order, UGI Utilities, Inc.—Electric Division shall file a compliance plan with the Commission that incorporates the modifications directed by this Final Order and also any clarifications requested in this Final Order.

3. UGI Utilities, Inc.—Electric Division shall file with the Commission for its review and approval revised tariff supplements consistent with the terms of this Order at least 30 days prior to the availability of seamless move and instant connect functions within its service territory.

4. This Final Order be served on all jurisdictional Electric Distribution Companies, the Bureau of Investigation and Enforcement, the Office of Consumer Advocate, the Office of Small Business Advocate and the parties who filed comments at Docket No. M-2014-2401126.

5. The Secretary shall deposit a notice of this Final Order with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

6. A copy of this Order be posted on the Commission's website at the Office of Competitive Market Oversight's web page at [http://www.puc.pa.gov/utility\\_industry/electricity/electric\\_competitive\\_market\\_oversight.aspx](http://www.puc.pa.gov/utility_industry/electricity/electric_competitive_market_oversight.aspx).

7. The Office of Competitive Market Oversight shall electronically serve a copy of this Final Order on all persons on the contact list for the Committee Handling Activities for Retail Growth in Electricity.

ROSEMARY CHIAVETTA,  
Secretary

<sup>10</sup> Id. at pages 11-12.

<sup>11</sup> Id. at page 5.

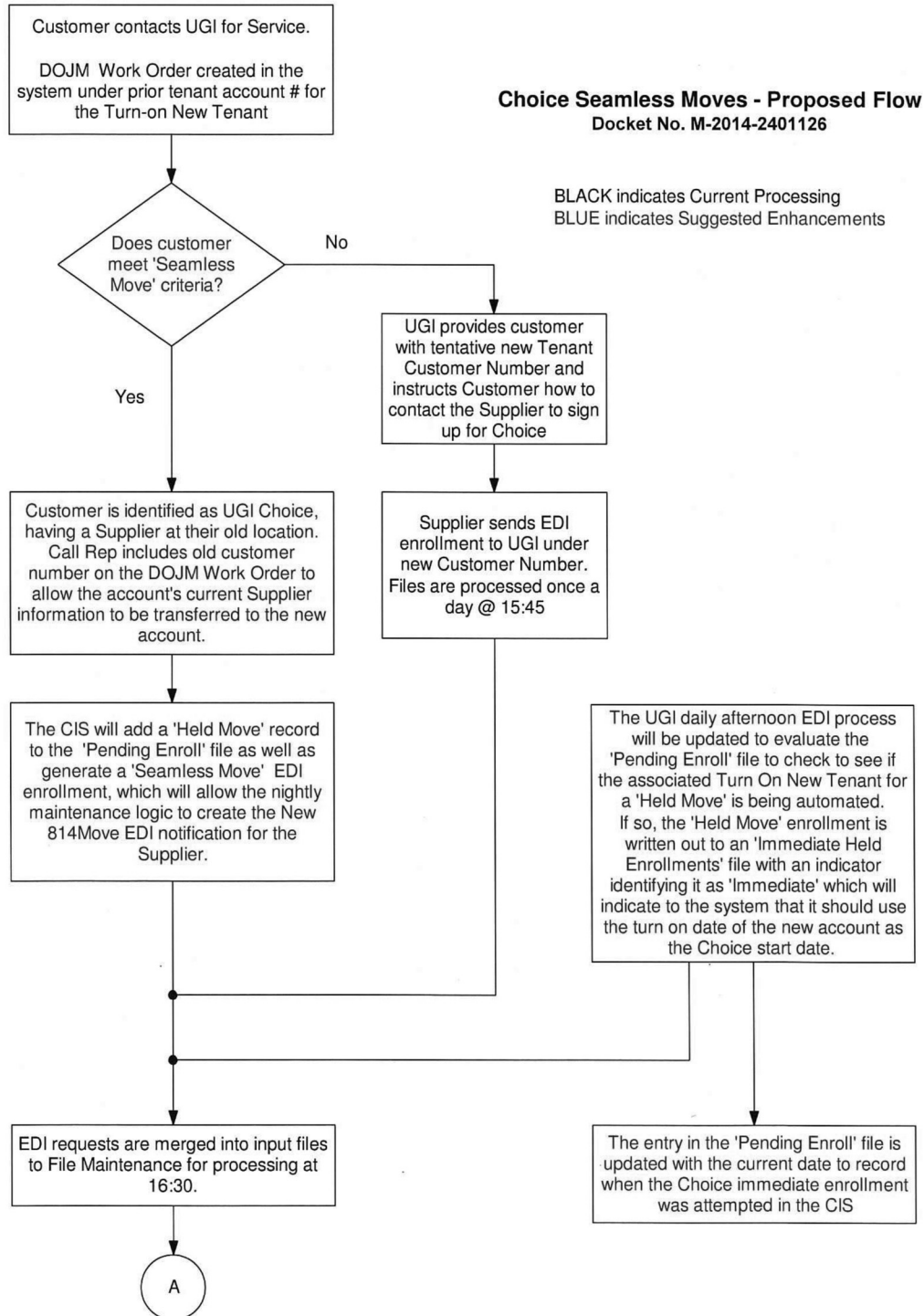
<sup>12</sup> See Petition of UGI Utilities, Inc.—Electric Division to Defer Implementation of Portions of Revised Standards For Changing a Customer's Electric Generation Supplier at 52 Pa. Code §§ 57.174 and 57.180 and to Implement an Alternative Method to Address Certain Variable Rate Disputes Order, Docket No. P-2014-2449397 (Order entered May 7, 2015).

<sup>13</sup> See Duquesne Order at page 5.

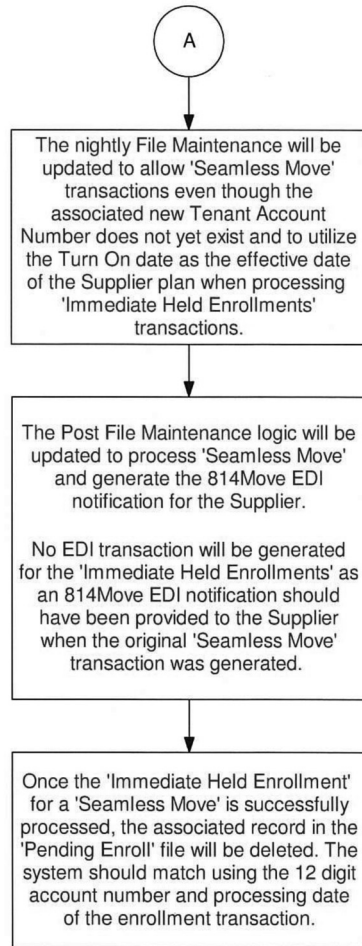
<sup>14</sup> Id. at page 12.



## ATTACHMENT A







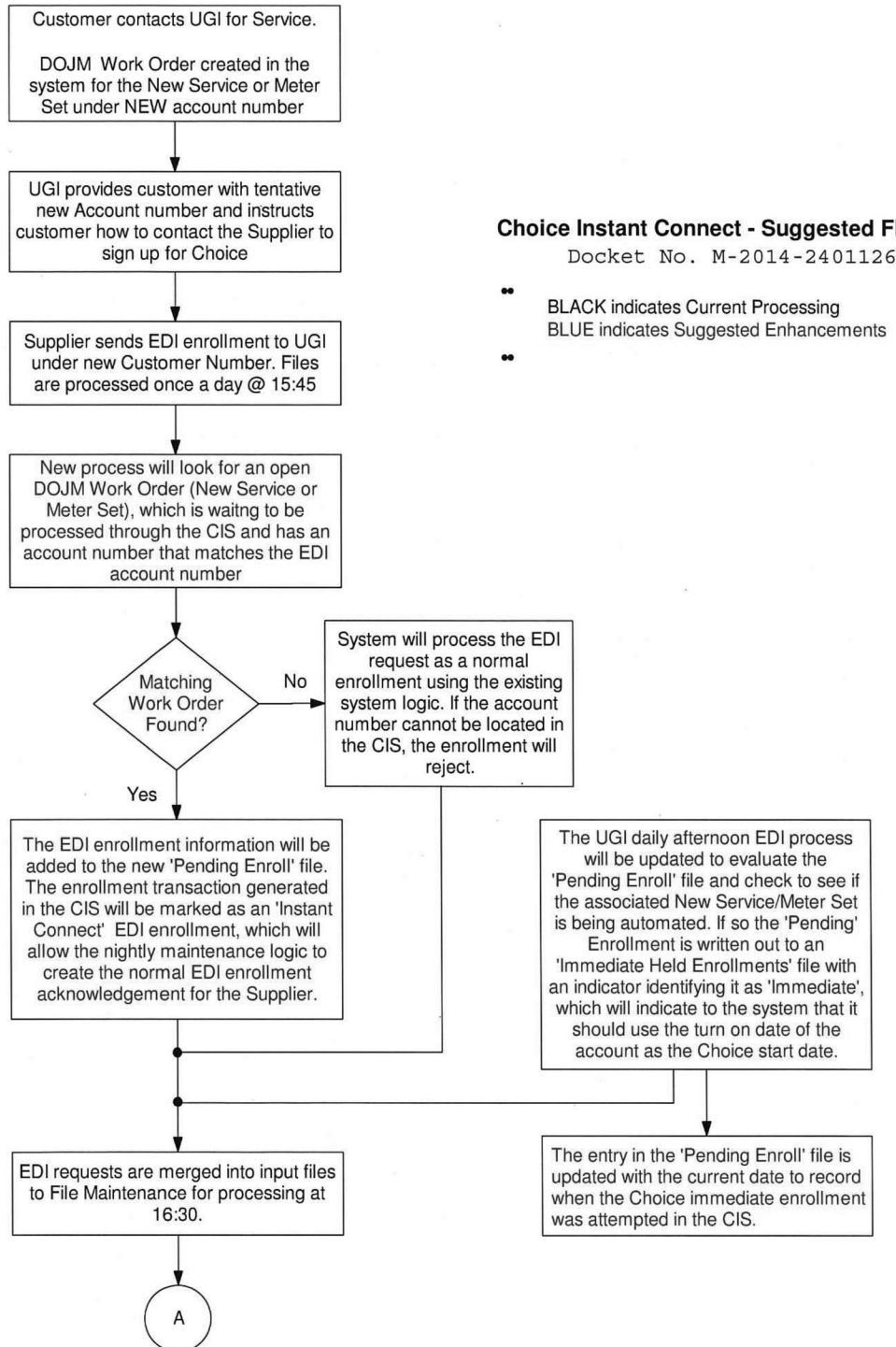
Additional Processing Notes:

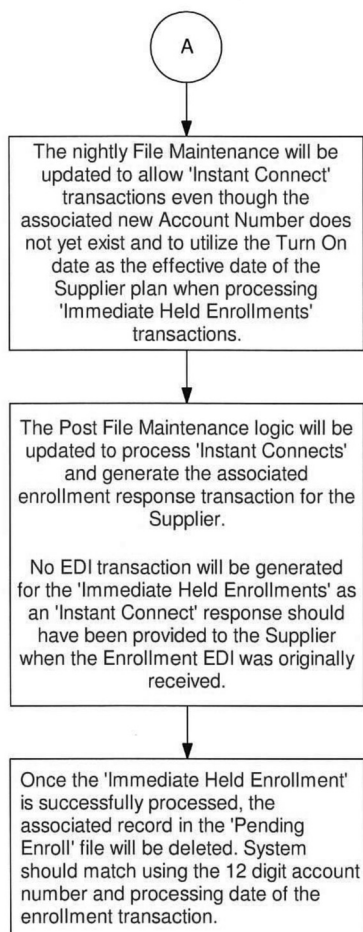
The Electric Rates/Supply group will need to know when the 'Seamless Move' transaction is processed as they will need to include it in the Choice energy scheduling.

- If the actual effective date differs from what was in the 'Seamless Move' 814Move EDI notification originally sent to the Supplier, then an EDI 814C needs to be sent to the Supplier informing them of the start date change. The Electric Rates/Supply group will also need to be notified so they can adjust the energy scheduling.

- If a 'Pending Enroll' is voided due to a work order that is cancelled or never automates, an EDI DROP record will be sent to the Supplier to inform them of the failed enrollment. Again, the Electric Rates/Supply group will need to be notified so the Choice energy scheduling can be adjusted accordingly.

## ATTACHMENT B





Additional Processing Notes:

- The Electric Rates/Supply group will need to know when an 'Instant Connect' transaction is received as they will need to include it in the Choice energy scheduling.
- If the actual effective date differs from what was in the 'Instant Connect' EDI reply originally sent to the Supplier, then an EDI 814C needs to be sent to the Supplier informing them of the start date change. The Electric Rates/Supply group will also need to be notified so they can adjust the scheduling.
- If a 'Pending Enroll' is voided due to a work order that is cancelled or never automates, an EDI DROP record will be sent to the Supplier to inform them of the failed enrollment. Again, the Electric Rates/Supply group will need to be notified so the Choice energy scheduling can be adjusted accordingly.
- Currently Commercial & Industrial 'New Service/Meter Sets' are not automated in our system. They are entered manually. The processing suggested in the above flow should handle both automated and manual sets.

[Pa.B. Doc. No. 16-972. Filed for public inspection June 3, 2016, 9:00 a.m.]

**Water Service**

**A-2016-2546911. The Meadows at Watsontown, LLC.** Application of The Meadows at Watsontown, LLC for approval of the abandonment of water service in a limited portion of Delaware Township, Northumberland County known as Spring Lake Crest.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before June 20, 2016. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

*Applicant:* The Meadows at Watsontown, LLC

*Through and By Counsel:* Michael D. Klein, Esquire, D. Troy Sellars, Esquire, Cozen O'Connor, 17 North Second Street, Suite 1410, Harrisburg, PA 17101-1638

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 16-973. Filed for public inspection June 3, 2016, 9:00 a.m.]

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## STATE REAL ESTATE COMMISSION

**Bureau of Professional and Occupational Affairs v.  
Curtis R. Eakman; Doc. No. 1800-56-15; File No.  
14-56-01549**

On April 14, 2016, the State Real Estate Commission assessed a \$4,000 civil penalty and revoked the license of Curtis R. Eakman, license no. LS214195, last known of Dawson, Fayette County, for being convicted of felonies, namely theft by deception and deceptive and fraudulent business practices.

Individuals may obtain a copy of the order by writing to the Prothonotary, Department of State, P.O. Box 2649, Harrisburg, PA 17105-2649.

JOSEPH J. McGETTIGAN,  
*Chairperson*

[Pa.B. Doc. No. 16-974. Filed for public inspection June 3, 2016, 9:00 a.m.]

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